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THE CLAIMS OF THE CANDIDATES.

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WILLIAM JENNINGS BRYAN.

THE reasons for the nomination of a candidate of either party may be divided broadly into those of expediency and those of sentiment.

In the first division, while there may be such remote considerations as the upbuilding of a party for future contests, the obliteration of undesirable control and the like, the chief question is the chance of success in the immediately ensuing elections. Under this head—the chance of success—must be considered, first, the strength of the man himself measured by the popularity of his position upon questions which divide public opinion; and, secondly, his strength of that kind compared with that of his probable or possible antagonist, the leader of the opposing party.

The question uppermost in the mind of the American electorate to-day is the undue influence of wealth upon the Government as that influence is expressed, not only legally and overtly, but also illegally and covertly. In one or the other of these fields

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of its expression and activity are to be found all of the evils of which the great body of the people make complaint.

The open influence of wealth used oppressively has an example in the establishment of the protective tariff and in the successful resistance of any attempt within the ranks of the dominant party to revise that tariff. It has another example in the use of the courts in the so-called government by injunction. Still another in the paralysis of executives when the laws against the big criminals are permitted to slumber while those against the small offenders are drastically enforced.

The covert use of wealth has many examples brought to light through judicial and legislative investigation showing the corrupting of executive and legislative officers, the corrupt arrangement with party managers to nullify ante-election promises, and the suppression of the people's voice in the elections themselves.

Outside of the machinery of government the iniquitous effect of the influence of wealth is felt in the discrimination of the railroads in favor of the large shipper and the exploitation of the public through the dishonest manipulation of corporate stocks.

No man in the United States in either party stands so indelibly associated with the protest against all of these evils as Mr. Bryan stands. A majority of his party knows, and all the members of both parties may be brought to know, that the last three Democratic National platforms have contained planks demanding the enlargement of the powers of the Interstate Commerce Commission with a view to correct the evils of railroad discrimination, also planks demanding the vigorous prosecution of trusts, the revision of the tariff, and the forbidding of judicial writs in industrial disputes except after notice to defendants and full hearing, and that these planks, while absent from the Republican platform, were in the Democratic documents chiefly through the advocacy and influence of Mr. Bryan.

It is also a fact that the principal reforms which have come to be associated with President Roosevelt in the public mind and in the demand for which his party is by no means unanimous, were first indicated by Mr. Bryan as the needed remedies possible by National legislation. In his Madison Square Garden speech in August, 1906, Mr. Bryan advocated specifically the enforcement of the criminal clause in the cases against the trusts—a correction of the evil known as government by injunction—the

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enactment of an eight-hour law—arbitration in labor disputes—a graduated income tax—the prohibition of campaign contributions from corporations, and a Federal license for corporations. President Roosevelt, in his message six months later, recommended to Congress the enactment of legislation to each and all of these ends.

The recommendations of President Roosevelt are popular with the people, however unwelcome and tiresome they may be to Congressmen and Senators. Because of these recommendations the President himself is popular. His popularity, judging from present indications, is such that nothing but his repeated refusal to be again a candidate can prevent his renomination in the approaching National convention of his party.

Of all the men thus far named in connection with the Democratic nomination only Mr. Bryan is at all associated in the public mind with these enumerated policies. He is not only associated with the policies, but he very properly is recognized as their strongest and first and most consistent advocate.

If it shall be possible next November to elect a Democratic President that possibility will exist chiefly because accessions may be gained from Republican ranks. Those accessions may come either from the progressionists, who form the Roosevelt wing of the party, or from the reactionists, who form the Cannon wing. The members of the Cannon wing, however, are the stand-patters, the hard-shell protectionists. The Roosevelt Republicans are the men who are conscious of existing evils, who confess the need of tariff revision, and who form the progressive and mobile element of their party. If a successful bid for assistance and support can be made to either wing it is to this latter. The popularity of Roosevelt's measures with these men is not because of Roosevelt, but Roosevelt himself is popular with them because of his measures. It is the fact of a man personally expressing policies.

As far as any man can be himself the expression of a policy Mr. Bryan expresses, and in pre-eminent degree, the vital policies of the Democracy.

There are those within the party who believe that the sole issue is the tariff, that all of the evils are traceable to this iniquity. The difference between those members and Mr. Bryan is merely one of terms. Mr. Bryan believes that the tariff itself in its present form is not the product of the wisdom of the country

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nor yet of the wisdom of the party that is responsible for it, but that it exists through the demand of interests now predatory in their activity.

Coming to the consideration of the candidate's strength as practically recorded, we must recall that when in 1904, under the leadership of the New York "World" and other so-called Democratic organs suffering, as Mr. Watterson described them, from both provincialism and landlordism—some of them from absentee landlordism—the party abandoned the forward movement inaugurated by Mr. Bryan and retreated to the parade-ground dominated by Mr. Parker, the total vote of Democracy in the United States fell 1,280,000 behind its total vote of four years before. An attempt to account for and to locate this loss results, first, in the discovery that Mr. Roosevelt, with all his San Juan popularity, increased the national vote for McKinley only 414,000. Nearly one million Democratic votes reported among the missing, therefore, must be assumed to have been left in the trenches of the enemy and beside the abandoned standards of the Bryan Democracy.

When we consider his strength in comparison with the strength of the Republican candidate—probably Taft, possibly Roosevelt—we have only to decide whether the public faith and allegiance will flock to those standards borrowed from Democracy and raised by Mr. Roosevelt above a mutinous Congress, as notably in the recent refusal to repeal the duty on wood pulp, or whether the public faith and allegiance would follow the same standards in the hands of Mr. Bryan, who first raised them and who has unceasingly supported them and behind whom there would be a united Democracy.

Mr. Bryan's ability to stand inflexibly for a principle, his superiority to clamor, has been shown on many occasions and in many trying situations. There is a well-founded belief in the public mind that as an executive he would abide by the provisions of the Constitution, feel himself bound by their restriction and insist upon their enforcement, and that neither the legislative nor the judicial department of our Government would feel the encroachment of the executive.

Mr. Bryan is informed upon Old World affairs and conditions. His information has been gained by personal visits, examinations and study, and is of a practical quality and modern equipment—

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perhaps more valuable to a Chief Executive than a literary willingness to write critically of English history. Of the United States his knowledge, both intimate and comprehensive, is exceeded by that of no other man. He knows the country, its cross-roads, its hamlets, its towns, its cities; he knows its resources, its people, their needs. His almost continuous journeyings through the States have been for purposes of intercourse with their citizens and not to acquire camp-fire tales or nature stories.

If we turn from Bryan to the selection of some other candidate from the ranks of Democracy, we look in vain for one with a sufficiently assuring record, for one well enough known to the rank and file of the party, or for one who could be sufficiently introduced between now and election by any possible campaign of education to unite the party and invoke the enthusiasm necessary to victory.

It cannot be successfully disputed that Mr. Bryan has the personal affection of a greater number of Democratic voters than any three candidates combined. In the last twelve years, with the exception of two trips abroad, the majority of his Sundays have been occupied by the delivery of addresses and sermons to religious congregations of mixed political beliefs. The voters of his own political opinions in these audiences have been strengthened in their devotion to him. Those of opposing parties have acquired a personal appreciation and respect for him which have taken the place of former misapprehension and distrust. On many Sundays two of these addresses, sometimes three, have been delivered in a day and evening. A conservative estimate may place the number of voters, members of religious organizations, who have listened to Mr. Bryan in that time at 250,000. In addition to this number probably 1,000,000 citizens have attended the lectures which Mr. Bryan has given in his regular tours, exclusive of the free political gatherings that he has addressed. These auditors have invariably gained a high opinion of the sincerity, the profundity, the stability of the lecturer. It is impossible to listen to Mr. Bryan through an extended discourse and not gain an added appreciation of the character of the man. The impression that he makes at these times is abiding, and no estimate of his strength with the people is reliable that omits from its calculation the friends he has gained in these talks of a non-political kind.

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A great writer has said that "Napoleon, discarding the established rules of war, conquered Europe with the bivouac." Mr. Bryan, temporarily deserted by the managers of the so-called conservative wing of his organization, regained and held the hearts of its rank and file by personal and fraternal contact. He has made converts and recruits. Other candidates in the party may command equal respect, but no other can so thoroughly evoke, sustain and augment the enthusiasm necessary to a militant and progressive and successful campaign.

AUGUSTUS THOMAS.

EDWARD WARD CARMACK.

THE measure of character of the subject of this sketch was taken in Tennessee in the year 1896.

For nine years he had been engaged in newspaper work. First elected to the office of justice of the peace of Maury County, Tennessee, and then, when only twenty-seven, sent to the Legislature, he had not given himself up wholly to politics. An opportunity offering in 1887, he took up editorial work on the Nashville "American." In 1892, he left that paper to establish the Memphis "Commercial." For three years the contest between the new aspirant and its competitor, the "Appeal Avalanche," with long and honorable history, was bitter. It was largely due to Carmack's able pen that the supremacy of the new paper was finally established. The brilliant editor was now at the head of his profession in the State. He received a salary which was at that time the highest paid to any editor in the South. He had every reason to be proud of the position which, unaided, he had created for himself. His name was linked with that of the "Commercial-Appeal." His newspaper was widely circulated over three States. He could reasonably look forward to a career of emolument and honor. It was at this time, however, that the country became absorbed in the discussion of the currency question. Josiah Patterson represented the Tenth district of Tennessee in the House of Representatives. He had been in favor of free silver, but through the influence of Grover Cleveland now espoused the views of his chief and became a candidate for re-election to Congress. The principal owners of the "Commercial-Appeal" were friends of Patterson. They were conservative

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business men. They insisted that Mr. Carmack support Patterson in the columns of the "Commercial-Appeal," whatever might be his individual views. The brilliant young editor did not hesitate. Wealth and ease were on one side, and uncertainty as to his future on the other. But he never wavered. His resignation was sent in and he left the paper which he had created and on which he had stamped his individuality.

Thus Tennessee came to know Edward Ward Carmack.

Since that time none has doubted his honor, his courage or his sincerity.

The young journalist, thrown adrift by reason of his conscience, found himself the logical candidate of those of his view against Josiah Patterson, and from that resignation out of journalism—giving up all the fruits, apparently, of the work of years—has come a public life which has extended over the ensuing twelve years, and is not likely soon to be ended.

In the memorable race for Congress, which followed, Carmack secured a majority over Patterson. The latter contested his seat, however, and the final scene in the contest between these two big men was on the floor of the House at the Capitol, where each argued his own case. Patterson thought he would receive the support of the Republicans, because of the fact that he was a gold Democrat, many of whom had cast their votes for Mr. McKinley. Mr. Carmack's speech in his own behalf marked his entrance on the national arena. It was considered one of the great speeches of the session. Rarely in the history of a Congress has a member of the minority whose seat has been contested been able to secure votes of the majority, or to induce them to refrain from voting. Despite the appeals which Mr. Patterson made, however, the Republicans were carried away by Carmack's great address, so full of wit, sarcasm, logic and invective, for which all his speeches have been notable, and he was sustained in his seat. It was in this speech that he termed the mugwump "a political mule having neither the pride of ancestry nor hope of posterity," a phrase which has stuck.

Mr. Carmack served two terms in the House. On the death of Isham G. Harris, in 1897, Governor Robert L. Taylor appointed Thomas B. Turley to succeed him. When the Legislature convened Turley was a candidate for the remaining unexpired term of Harris and had as his opponent Benton McMillin, for a long

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time Democratic leader in Congress. Mr. Carmack managed Mr. Turley's campaign and Turley was re-elected. This contest, however, was provocative of political animosities which have since followed him and were prominent in his own campaign for re-election to the Senate last year.

In the United States Senate, to which he was elected in 1900, Mr. Carmack made more reputation in a single term of service than any other Southern Senator, except, probably, Ben Hill, of Georgia. He came to the front almost immediately. The Philippines was the uppermost topic, and he bitterly opposed imperialism. In the Tennessee State Convention of 1900 a large number of delegates favored a platform which did not commit the Democratic party to opposition to the policy of expansion. At a critical time in the discussion Mr. Carmack was called for and in ringing terms he denounced the imperialistic programme. He secured the adoption of a substitute for the resolutions reported, the substitute declaring unmistakably against the policy of the administration. Mr. Carmack was a member of the Philippines Committee of the Senate. He denounced "benevolent assimilation," terming it "malevolent dissimulation." He put life into the Democratic opposition to the party in power. The nominal leader of the Senate was Senator James K. Jones. Younger men, like Carmack, Bailey and Culberson, were the active floor leaders. It was largely at his instance that some of the cruelties practised in the Philippines were shown up. Some of his conservative friends thought he went too far in his denunciation of the policy of imperialism, but events finally brought the thinking people of the country very much to his point of view.

Personally, Mr. Carmack was popular with members of both parties in Washington. In impromptu debate he was at his best. Senator Spooner, skilled parliamentarian, learned lawyer and shrewd beyond most of his party fellows, said that Carmack was the only man he really feared in debate. It was not to be expected that this bold spirit could accord with that of Mr. Roosevelt. After the President had found himself mercilessly roasted on the Carmack gridiron a few times he lost his temper. Carmack said of the President: "He resembles in his habits of speech my friend Joe Ballanfant's horse, of which remarkable animal it was said that running away was his natural gait." This comparison probably broke the camel's back. Invitations to

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the White House came no more to the Tennessee Senator. He did not care, however. No man was more utterly indifferent to patronage or Executive favors.

On January 16th, 1907, he defended the action of the Executive in the Brownsville matter. He opened his speech by saying:

"The President once said that he would see a certain member of the Tennessee delegation in Hades before he would do anything for him, a remark that was entirely gratuitous, in view of the fact that the person referred to had never stooped to ask a favor at his hand, but with supreme indifference to his opinion had censured him when he was wrong, and with a like indifference to his opinion can support him when he is right."

Mr. Carmack's ridicule of the President was in its richest form in his speech on the Indianola post-office case, February 24th, 1903. Mr. Roosevelt had persisted in the appointment of a negro postmistress in defiance of the sentiment of the people of that Mississippi town, and, when the people had refused to get their mail at the post-office, had closed it. This speech was one of the best expressions of the position of the white men of the South on the race question. Replying to Senator Spooner, of Wisconsin, he said:

"The Senator from Wisconsin, seizes upon certain inconsequential expressions like 'unpleasantness' and 'strained relations,' and he finds them a threat of violence as easily as Sergeant Buzfuz found a proposal of marriage in the words 'chops and tomato sauce.' I ask, Mr. President, if this is worthy the man of the 'strenuous life'; he who rode into the jaws of death and the mouth of hell, who showed like Bellona's bridegroom on the red edge of battle, who the 'multitudinous seas incarnadined' with the crimson torrent which from the top of San Juan hill ran bubbling to the main—he abandons his post of duty and flies beaten and discomfited by a little band of ruffians [laughter]. What a lame and impotent conclusion for this strenuous administration! . . .

"Mr. President, we are the same kind of people you are, or would be under the same circumstances. The Southern people are the purest blooded Americans in this country. They are not cruel; they are not bigoted; they do not hate the negro; they sincerely wish him well. But they have this characteristic which is in the blood of their race, they will not divide sovereignty and dominion of their own country with a lower or inferior race."

Referring to a division of the white vote he said it would lead to a riot of corruption at elections.

"We know, Mr. President, how far men will go in the stress of politics. We know the progressive power of debauchery. We know how the public

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conscience is calloused by long contact with corruption. What may not be done in States where there are thousands of voters eager to be bribed and without any sense of shame or consciousness of moral delinquency in the transaction? So, Mr. President, I say that while present conditions are unfortunate, it would be tenfold worse; it would be ruinous and destructive to all the Southern States if the white people should ever divide and the colored vote should wield the balance of power."

One of the great speeches made by Mr. Carmack was on the Brownsville affair, in the course of which he said:

"President Roosevelt must fight the course, and I say to the Senators upon the other side of the chamber, you must take your alternative, you must either renominate Theodore Roosevelt, or you must give us back our platform. You have got to do it. It was never yours. In your hearts you are longing for the time to come when you can cast off this Rooseveltian incubus. The Republican party, for the first time in years, will look natural when it sits for its photograph in the next campaign. But, Mr. President, in the mean while the sentiment which President Roosevelt has created, which he has helped to arouse against plutocracy, will turn millions of voters to the ranks of the Democratic party, and if President Roosevelt himself chooses to come, he will find there ample opportunity to render great service to the American people and to learn some respect for the Constitution and the law."

The last speech of Senator Carmack in the Senate was on March 3rd, 1907, when he talked the Ship Subsidy bill to sleep, much to the amusement of the Senate and apparently to the satisfaction of the country. Usually filibusters arouse angry feeling. That of Mr. Carmack, put up by the Democrats for this unpleasant duty, had none of the usual features. Although he held the floor for many hours his remarks were so interlarded with wit that they kept the Senate in good humor.

Mr. Carmack was succeeded in the Senate by ex-Governor Robert L. Taylor. This is no reflection on Mr. Carmack, but merely proves that "Bob" Taylor is the most popular man in the State since "Lean Jimmy" Jones rubbed the coon-skin in the campaign of 1840 and defeated James K. Polk, afterward President. The campaign, while hotly contested, left no ill feeling and Taylor and Carmack are now good friends. He was not allowed to remain long in private life. Although he was offered lecture engagements worth $7,500 the first year, he yielded to the insistent demand that he become a candidate for Governor. The county primaries which will decide the issue occur June 27th. Mr. Carmack has been the leader in Tennessee in the fight against

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the open saloon, and this will, no doubt, be one of the issues. He is an advocate of the direct primary in the nomination of candidates by political parties, and, as the State Executive Committee denied such a primary, this question will be discussed. Mr. Carmack was recently suggested by "Harper's Weekly" for the Presidency, and there has also been talk of nominating him for the Vice-Presidency.

Mr. Carmack's mind is saturated with the fundamental principles of Democratic faith. He thinks that every unconstitutional extension of Federal power as against the States, or of the Executive power as against other departments of the Government, should be resisted. He favors keeping well within the "shadow of our rock of safety, the counsel of Washington and the maxims of Jefferson in our foreign policy." He advocates the "putting aside of all dreams of conquest and colonial empire, and the casting out of the devil of militarism from the hearts of the people." He thinks one of the deadliest of monopolies is "the monopoly of power in the government at Washington." On the tariff question he is conservative. "I realize," he says, "that even a vicious policy that has rooted in the industrial system of the country cannot be destroyed at a blow without danger of catastrophe. Free trade in England was not attained by sudden flight, but by the gradual elimination of protective duties, each step justifying itself and gaining confidence for the next. The Democratic party should move gradually, but steadily, toward the goal of a tariff for revenue alone—tariff that will yield the largest possible proportion of revenue with the least possible protection."

"Ned" Carmack, as he is familiarly known in Tennessee, is a man without any political machine, except such as he has established in the hearts of the people by his great qualities. He is not a hand-shaker or letter-writer. He knows nothing about intrigue. He is open and aboveboard. He does not trim or truckle. Without any apparent effort on his part and without what ordinarily is called personal magnetism, he draws men to him by his courage, his manliness and his matchless ability. When he was defeated for the United States Senate strong men wept. On his retirement his friends gave him a loving-cup on which were engraved the words in an editorial in the Washington "Post" of February 2nd, 1907:

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"He would have been an ornament to British Parliaments that knew Burke and Fox and Pitt. He would have been distinguished in American Senates that contained Clay and Calhoun and Webster. He might have been rich. He had but to stoop. . . . But in the true sense who dares say this American Senator is poor? Where is the man who does not respect him? All the wealth of either Ind would not buy for the base his lofty character, his unblemished honor."

Those who have followed his career do not think these words extravagant. That at some future day the nation will again claim his services, the Tennessee people do not doubt. He is only fifty years old, his faculties are at their very best. Few men have had such a career, so rich with experience, so triumphant in victories and so marked in growth. He has those endowments which the Latin philosophers believed necessary for the best earthly success, "a sound mind in a sound body." It is not beyond the range of probability that some day, with a truly reunited country, the South, the palladium of Anglo-Saxon institutions, will furnish to the nation a defender of constitutional liberty in the person of this brilliant Tennesseean.

——— GEORGE F. MILTON.

CHARLES ANDERSON CULBERSON.

FOR forty-three years the South and its favorite sons have held aloof from contests for the nation's honors through a sense of duty and loyalty to the dominant party of the South. Within very recent years, however, the idea has grown that the time is near at hand when the Democratic party would choose its standard-bearer from a Southern State; and during the past three years that feeling has found voice in the definite expression of a hope, both North and South, that Charles Anderson Culberson, senior United States Senator from Texas, should head the national ticket of the Democratic party.

Pronounced in his friendship for and advocacy of Mr. Bryan, Senator Culberson has discouraged the mention of his own name in this connection with such earnestness as to leave no doubt of his sincerity. Nevertheless, his friends take comfort in the thought that should his own choice fail to receive the nomination, the Democracy will logically turn to him for leadership.

His long public career, marked by high achievement; a record without blemish; demonstrated great ability as lawyer and as executive officer; conservatism, caution, courage and discretion

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are urged as entitling Senator Culberson to consideration as a Presidential possibility.

By inheritance, breeding and education he is a type of the very highest American citizenship. Of Scotch-Irish ancestry, his mother was of the famous Crawford family of Georgia, a member of which, William Harris Crawford, was a United States Senator, minister to France, Secretary of War and Secretary of the Treasury, in the early part of the last century, and in 1824 was a candidate for President as an exponent of the views of Jefferson. No man ever enjoyed greater or fairer fame as lawyer, jurist, statesman and patriot than did Senator Culberson's father, the late David B. Culberson, who, until but a decade ago, was a colossal figure in the American Congress. Before the Civil War Judge Culberson was a Whig and Unionist. When the war came he followed the fortunes of his State, as did Lee, and became a soldier of the Confederacy.

Counselled by a most conservative father, and being witness in his boyhood, in the years immediately following the war, to the most terrible political strife that has ever cursed this country, it is but natural that conservatism should be a leading trait in the character of Charles A. Culberson.

Senator Culberson is absolutely devoid of superlatives and floridity of expression. He is precise, accurate, methodical and punctual, his conduct conforming in the fullest degree to the famous precept of Davy Crockett, "Be sure you are right: then go ahead." And he is quite as sure to go when he knows he is right, as he is to be sure he is right before he starts. He leaves nothing to chance, but is a close observer, an untiring student, an adept investigator, possessing marvellous skill as a developer of facts. Although social and companionable, he is nevertheless markedly non-communicative. The average man tells Culberson all he knows; Culberson has never had to reproach himself for misplaced confidence or for talking too much.

His ability as an investigator and his penchant for absolute accuracy and precision in statement have made him invincible and invulnerable in his declarations. Long ago friends and adversaries came to know that when Culberson said anything, it could be taken for granted he was prepared to verify every detail in many ways. Devotion to accurate truth carried him successfully through his brilliant but turbulent terms as Attorney-

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General and Governor of Texas, and his attention to details enabled him to master every question which arose touching any branch of government. His strength in this regard is well illustrated by his literary taste, which is largely turned in the direction of history. Perhaps no other man in the public life of this country knows as much of the minute history, the details, of the battles of the Civil War, and of other great battles of the world, and of the giant figures of history.

An orator of great ability, brilliance and power, Senator Culberson rarely makes public speeches, never when he can avoid doing so; but when he does speak, his utterances are thought out and delivered with that degree of care which characterizes the opinions of our higher courts. A master of the English language, his speeches are pure in diction, flawless in rhetoric and simplified to the last degree. He has never been called upon to explain or correct a public utterance, and, when he has spoken upon a subject, little, if anything, remains to be said.

Aggressive, without being impetuous, Senator Culberson is remarkably prescient and investigates in advance of possible contingencies, and is therefore prepared to act when action is necessary or desirable. For instance, while Governor of Texas, he seemingly had a man picked to fill every possible vacancy. Committees journeying to the capital to advance the claims of favorite sons would find that the vacancies had "just been filled." When he has reached a conclusion, he is prompt to act, and presses the object with a determination which will brook no interference. In fact, he is rather disposed to obstinacy, and upon the defensive is a resourceful and insatiable antagonist.

Senator Culberson had the very best of educational advantages, his alma mater being the University of Virginia. Upon leaving it he immediately won recognition as an able lawyer and magnificent advocate, and, entering politics, he was elected to every office to which he aspired, making an enviable record in each. To his preparatory school—the Virginia Military Institute—Senator Culberson largely owes his sense of order and his extraordinary capacity for organization. The elder Culberson, being a product of "the old school," used to say that the bane of his life was that he never could find his hat. He determined that his son should be trained in method. Therefore, he sent him to the military school.

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In his earlier campaigns, Senator Culberson was several times hard pressed, but when the returns came in his State was astonished at the amount of political work done and the magnificence of the army which had been called into action. In the South he has no superior as an organizer, and never had one. His work is done with precision, but quietly, without disturbing the surface, yet it is always clean, subject to inspection.

While still serving as Governor, he won the nomination of his party for his first term as Senator before the campaign had fairly started, defeating Hon. Roger Q. Mills. And this notwithstanding Culberson had spent eight tempestuous and busy years as Attorney-General and Governor, antagonizing many influential persons and interests by succeeding in his undertakings.

He made a brilliant record as Attorney-General, defending the reforms instituted by the administration of Governor Hogg, who had been his predecessor in the legal department, as well as in important litigation instituted upon his own initiative. His most notable achievement in this office was his successful defence of the Railroad Commission Law, at that time (1891) the most far-reaching measure designed for government regulation of carriers. Its validity being upheld by the Supreme Court of the United States, the law has been copied to some extent by many other States; some of its provisions are embodied in the Federal rate law of 1906, and some of the reforms now advocated by President Roosevelt are its salient features.

The administration of Governor Hogg was characterized by the enactment of laws to regulate corporations. Its fiscal policy was weak. Culberson's administration was notable chiefly for activity and vigor in the enforcement of the laws, the reformation of the State and county governments and a strong fiscal policy. He put the State upon a cash basis by raising revenue, reducing expenses and cutting off excrescences. He secured the passage of a law which deprived thousands of officers throughout the State of the swollen fortunes which they had been receiving through fees of office, requiring them to turn the surplus over to the public treasury. When the Legislature failed to heed his recommendations, he made demands. A general appropriation bill was passed carrying a total largely in excess of the limit he had suggested as safe. Reconvening the Legislature in extraordinary session, he vetoed the bill, and announced that the

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legislative branch of the Government would be held at work until it passed a bill within the limits named by the executive. The result can be imagined.

The Legislature passed a bill granting the Southern Pacific Company authority to consolidate its Texas railways. Governor Culberson vetoed it, and wrote a message which made the State gasp. He declared that the members of the Legislature had been "blandished" with free passes. An effort to pass the measure notwithstanding the veto failed.

Two other instances well illustrate his determination and imperturbability. In the spring of 1895 he gave public warning that the proposed Corbett-Fitzsimmons fight would not be permitted to take place. Nevertheless, preparations for the fight went forward, and feeling ran high. Governor Culberson went to the storm centre—the city of Dallas, which was the situs of the projected fistic carnival, and the Governor's home city as well—and in the streets he made speeches of the riot-act order, reiterating his purpose. Then a judge of the court of last resort declared the anti-prize-fight law invalid. Governor Culberson, to the astonishment of practically everybody, convened the Legislature, and had an anti-prize-fight law "with teeth in it" passed. The old law carried a fine penalty. The new one made the offence penal. In consequence, Carson City got the fight.

When Mr. Bryan's eloquence swept the Chicago convention off its feet, the venerable John H. Reagan and former Governor Hogg, both of whom Culberson loved, joined other members of the Texas delegation in begging Culberson, the chairman, to permit the Texas guidon to join in the frenzied march around the Coliseum. Calm and unmoved by the excitement, he answered that the guidon would not march, and march it did not. "We are instructed for Bland," said he, "and, so far as I am concerned, we stay for Bland." When the ballot was completed, the Texas guidon, like the flag, "was still there." Only when Bryan had been nominated did it move.

Senator Culberson is democratic in thought and conduct without being demagogic; cordial without being voluble, and companionable without being hail-fellow. He is a fine-looking man, dignified, erect as an Indian, of military bearing, patrician features, and immaculate in dress. A generous man, he is nevertheless economical and guilty of no extravagant habits. Greed,

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the desire to make money, has never seized upon him, his total accumulations, both from earnings and inheritance, probably not exceeding $50,000.

The talents which made Senator Culberson so successful in his public career in Texas have gained him recognition in the Senate of the United States as one of the ablest debaters, learned lawyers and soundest statesmen of that body, and he has been called to the highest place within the gift of his party in the Senate, the leadership of the minority.

A type of the highest American citizenship; by birth, breeding, education and experience superbly fitted to command and direct; clean in his personal life; impeccable in his official career, Charles A. Culberson, those who know him best believe, is logically the man to lead his party to victory, and admirably qualified to serve the nation in its highest office.

TOM FINTY, JR.

JOHN WARWICK DANIEL.

WHEN William Jennings Bryan delivered his Madison Square Garden speech in 1906, in which he declared that in his opinion the general Government would have to assume the ownership of the railway lines, he made the country gasp. Lack of breath may have been responsible for the delay of many of the leading men of his party in expressing their views regarding Mr. Bryan's attitude. It is equally possible that some doubt as to how the views of Mr. Bryan on this subject were regarded by the majority of Democrats was responsible for the silence of the party's leaders.

The first man of national prominence in the Democratic party to express vigorous dissent from Mr. Bryan's views was John W. Daniel, of Virginia. As soon as Senator Daniel returned to Washington from New York, whither he had gone to join in welcoming Mr. Bryan on his return from his trip around the world, he gave out an interview in which he exercised his wonderful command of English to make it plain that no doctrine could have been enunciated which was more abhorrent to the traditional tenets of the Democratic party than that of Federal ownership of railways. Since Senator Daniel's utterance on the subject scores of men high in the councils of his party have

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followed the Virginia Democrat in declaring against this radical departure from traditional Democracy.

In the early nineties Senator Daniel declared for the free and unlimited coinage of silver. It was no new doctrine to him, although it was one the urgent necessity of applying which had not, in his judgment, arisen during his term of public service. Senator Daniel was among the first of Eastern Democrats to declare for free coinage. It caused him to break with many party friends of long standing, and in some instances it cost him personal friendships. But he did not hesitate, and threw himself into the fight for Bryan in 1896 with as much zeal and enthusiasm as he had shown in the days of his early manhood when he had led his people in the struggle against negro and carpetbag rule in Virginia.

In the arena of national affairs Senator Daniel has been a commanding figure for a quarter of a century. On every subject of legislation which attracted anything like general attention he has taken position, and while, from the nature of things, he has been in the minority more frequently than with the majority, and has seen many measures he advocated defeated and many whose principles he opposed get on the statute-books, his views have never failed to receive the most respectful consideration at the hands of his adversaries and have impressed themselves to a greater or less degree upon legislation enacted by his opponents. When the Democrats were in power in the Senate during Mr. Cleveland's second administration Senator Daniel's influence was second to that of no other Senator. Earlier, in 1890, when the so-called "force bill," which proposed to deprive Southern States of the control of their elections, was being considered in the Senate and its passage seemed almost assured, it was the influence of Senator Daniel as much as that of any other man which brought about the agreement with the Republican leaders which resulted in the death of the measure. Senator Daniel himself, in discussing this episode in his career, always minimizes the part which he bore in defeating the "force bill," and ascribes chief credit to Senators Vest and Gorman on the Democratic side and Senator Quay of the Republicans. He votes himself second; his colleagues voted him first.

A less modest man than Senator Daniel would occupy a far more prominent place in the councils of his party. His dif-

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fidence and dislike of "fuss and feathers" are proverbial. His home life, in Washington and in Lynchburg, reflect the simplicity and modesty of the man. Some of his dearest and closest friends wore the gray of the Confederate private soldier. A large portion of Senator Daniel's life has been devoted to work in behalf of unfortunate comrades of '61-5. He is a poor man, but no old soldier ever appealed to Senator Daniel for assistance and came away empty-handed.

It is thoroughly characteristic of the man that his warmest friends in the Senate are soldiers of the great war, without reference to whether they wore the blue or whether they fought in gray. Whenever a Union soldier Senator is trying to get through a measure in behalf of veterans of the Union army he always counts upon the active support of Senator Daniel and is never disappointed. For years William McKinley and Senator Daniel were warmest friends.

No Confederate soldier ever accepted in better faith the verdict rendered at Appomattox than did Senator Daniel. Every public utterance of his on occasions where the subject was in any way appropriate has been for the complete restoration of good feeling between the sections of a common country. Naturally, some of the most notable utterances of Senator Daniel have been in the form of tributes to the valor and devotion of the men of the South who fought and died for the truth as they were given to see it. But hardly less notable have been his tributes to the American soldier, whether fighting under the Stars and Stripes or the stars and bars, who stood ready to risk all and to surrender all for the sake of a principle. The writer has heard Senator Daniel say more than once that some of his dearest friends fought on the Union side, and that had he been born in Massachusetts, or New York, or Pennsylvania, probably he would have fought under Grant instead of under Lee.

"Patriotism is simply standing with one's people," remarked Senator Daniel to the writer some years ago. "Why did I enter the Confederate army? How much did I know about the great questions which the civil leaders of the two sections had been fighting out in the forum? Nothing. I simply felt the great movement of my people to repel the invasion of my State and went with them. I think the feeling which I had was the feeling which many thousands of others of my comrades had. They

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were patriots, and I was not conscious of any but a patriotic motive."

Senator Daniel has never displayed aught but the loftiest courage, whether it were needed to hold him steady on the battle-field or to make him espouse a cause in time of peace. His splendid democracy impresses and appeals as does no other of his characteristics. It is unquestionably true that with a large section of Senator Daniel's party, in Virginia and elsewhere, the name of William Jennings Bryan is one to conjure with. Criticism of Mr. Bryan, opposition to any of his views, will endanger the political existence of even the most popular Democrat in many of the Southern States, yet for eight years Senator Daniel has not hesitated to withstand Mr. Bryan to his face in the discussion of a number of public questions. As a member of the committee on resolutions of the Democratic national convention at Kansas City, in 1904, Senator Daniel spent the night endeavoring to convince the committee that the issue of the free coinage of silver was no longer pressing. He lost, the platform reiterated the sixteen-to-one declaration made at Chicago four years before, and Mr. Bryan again led the party to defeat. In 1904, at St. Louis, Senator Daniel, as chairman of the committee, led such a fight against Mr. Bryan as no Democrat had ever dared to inaugurate against the Nebraska statesman. This time Senator Daniel's defeat was not so decided, but the national ticket went down under an unprecedented majority.

To many serious-thinking Democrats there is a chance to elect a Democrat to the Presidency with Senator Daniel leading the party. He is not a conservative in the sense that Mr. Fairbanks, or Speaker Cannon, or Senator Knox is a conservative, yet Senator Daniel is both a radical and a conservative. There is no man in public life who clings so strongly to the principles which have been tested and which have made the country great. He is like the general of an army who keeps his pioneer corps well in his front, but who never ventures his main column on unknown ground. Senator Daniel has found time in a busy life to study nearly every Governmental question which has arisen in our history. His intimates are often surprised to find that what was to them a new question was one upon which Senator Daniel had amassed information and taken a position long before.

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"The Democratic campaign," said Senator Daniel, recently, "should be based upon the purpose of getting together the voters of the United States to assert the plain and simple Democratic creed that this is a Government of the people; that the highest and plainest duty of Government is to secure to the people equal rights, and to oppose all monopolies and special privileges.

"The tariff, transportation, the trusts, and centralization are the subjects of public interest and consideration. We need no new issues and no new Constitution of strained construction. Those who seek to invent new issues and new versions of the Constitution perplex and divert the minds of the people from substantial issues and just views that exist. It is principles and not "isms" that Democrats stand for; and if you take the compass of sound principle it will guide you through the tangles of contention.

"Real issues are made by the people themselves, and grow out of their necessities.

"Artificial issues are like artificial flowers, good for nothing except in the gaslight.

"The extreme question of State rights that came to the issue of battle has been long since settled," said Senator Daniel, "but as long as the United States is a federation of States, questions of Federal and State jurisdiction will continue to arise and will pass to the peaceful jurisdiction of the courts. Democracy has its fixed principle on the subject, and no one has better stated it than did Jefferson, in his first inaugural address, when he stood for, 'The support of the State Governments in all their rights as the most competent administrations for our domestic concerns, the surest bulwarks against our anti-republican tendencies; the preservation of the general Government in its whole constitutional vigor, as the sheet-anchor of our peace at home and safety abroad.'"

Were Senator Daniel made President of the United States his administration might not compel the applause of thousands who love the spectacular; it would not shock thousands who believe that the quiet, orderly, unostentatious administration of Government is the best administration, and that bluster does not always betoken power.

WALTER EDWARD HARRIS.

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JOSEPH WINGATE FOLK.

ERADICATE from the minds of men all empirical concepts of political philosophy and erase from the pages of history all grotesque political theories, all fanciful untried social schemes, all the vagaries that ever disturbed or threatened to disturb the peace or mar the happiness and security of mankind, all the radical doctrines that ever menaced the stability of free institutions or lowered upon the horizon of constitutional government, and the record made by Joseph Wingate Folk will still remain unaltered, undiminished and undisturbed; but strike out the page in which his record is written, and you will eliminate from the history of American politics an era.

For a quarter of a century before Folk entered the arena of public affairs, graft had been talked about. President Cleveland denounced "the commune of pelf." Ingalls of Kansas proclaimed that honesty in politics was "an iridescent dream." Here and there, at rare intervals, there had been sporadic efforts at reform. But, in the main, the rule of the boss was supreme.

In 1894 there came to St. Louis from the State of Tennessee a young lawyer, lately graduated from Vanderbilt University, and schooled in the best traditions of the South. He came of a race of lawyers, and his blood was of the old Virginia and Carolina stock. He was not a politician, but was reared in the statecraft of the old Southern school. He sought no political honors, but entered at once into the practice of his profession, confining his work to the civil courts. With those innate qualities of patience and indomitable diligence which have always been among his most admirable and distinctly individual traits, he followed his profession, looking for success in the only place where one ought to expect and may reasonably hope to find it, in the work immediately at hand. It was his rule in legal practice to accept no employment that he did not know to be absolutely honest; but once he took a cause in hand, no labor was too arduous and no sacrifice too great. And thus his clientage grew, and his fame became noised about the city. Here was a young attorney who was no dashing orator, no politician with a pull, but one who was learned in the law, diligent in his calling, and, withal, as true as the steel and as keen as the edge of the Saracen's blade; in short, a man who could be relied upon to do his duty.

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At this juncture came the great St. Louis street-railway strike. The union needed counsel. But the union men did not hunt up a labor agitator; they did not seek out a politician with "influence." They wanted a man of courage, a man of ability, a man who enjoyed the absolute trust of all who knew him, and a man who would not betray a trust. They found Folk. After looking into the nature of the proposed employment he accepted it, and undertook to settle the strike. The great strike was settled in a manner pleasing to all parties, and Folk went back to his law office, to continue his patient, persistent plodding in behalf of other clients.

Then came the campaign of 1900. A small coterie of political bosses were naming a Democratic ticket for the city of St. Louis. One by one the offices were checked off as the names of the nominees were written down. When they came to the office of Circuit Attorney there was a pause. There was no available man. Then some one suggested Folk. He had settled the strike. Labor and capital were both grateful for this, surely; Folk was the man for the place. The young attorney was seen. He declined. He was building up a good law practice in an honorable way; city politics was notoriously dishonest and corrupt; he would have none of it. But the bosses insisted. Folk began to hesitate. Finally he said, "Yes, I will accept the nomination—but if elected I shall obey my oath of office." The bosses heeded not the remark. Perhaps, thought they, the young lawyer was only seeking to save appearances. At any rate, what was an oath of office in a city where bribery had so long been, as an attorney for some of the boodlers afterwards declared, "merely a conventional offence"? How well Folk obeyed his oath of office they soon learned, and the world now knows the story.

Immediately after the election, cries of fraud were current. But so had it been for a quarter of a century, after every election. No one paid much attention to the charges—excepting Circuit Attorney Folk. He listened; he heard the complaints; he investigated. Indictments were found against a number of persons, charging them with election frauds. An angry face greeted the Circuit Attorney in his office. "These men are my friends," it said; "I made you Circuit Attorney; I nominated you and I elected you. What do you mean by this?" Folk turned upon him the clear, deep, earnest eyes that afterwards so often struck

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terror into the hearts of the corruptionists who appeared before the St. Louis grand jury, and calmly said: "I simply mean to do as I said—to obey my oath of office." This was the beginning of the great struggle which has since been re-echoed in nearly every great city of the United States.

The bosses declared that they would destroy him; they would make an example of him, for the guidance of all such impertinent prosecutors who should chance to arise in the future. All through his term of office he was hounded, vilified and slandered by such a torrent of malicious lies as seldom falls upon a single human head. His life was often threatened. All the wealth, power and shrewdness that graft and craft could summon to the onset were brought into play against him. But he kept up the fight, and won. The story has been too often told to need rehearsal here. Let it now suffice to say that at the end of Folk's four years he had convicted more boodlers than were ever before convicted by any single prosecuting officer in the world's history, and had laid bare more official venality than was ever before revealed at any one time and place.

The great civic awakening in St. Louis soon spread throughout Missouri, and it has since spread throughout the Union. Folk's subsequent candidacy for the Democratic nomination for Governor was the necessary and legitimate response to a natural and resistless popular demand. Then came the most spectacular political campaign in the annals of Missouri. In opposition to Folk, all officialdom stood as a stone wall. With but few exceptions, every official in the State, from the highest to the lowest, from Governor down to township constable, including the professional politicians, leaders and party managers of high and low degree, all were solidly aligned against Folk. But back of all the opposition to Folk stood the political corruptionist, the gambler, the crook, the wine-room roué and the debauchee, with exhaustless wealth, boundless experience and unlimited nerve, fighting desperately and as only entrenched corruption knows how to fight, for existence. Against this appalling array stood Folk, unappalled. He hurled against them the challenge to mortal combat. It was a fight to the finish. He went forth single-handed and alone, but was soon cheered on by the plaudits of three millions of Missourians. Party leaders were stunned by the onslaught; it was not a rebellion, but a revolu-

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tion. Long before the convention met all open opposition to Folk had broken down, and his nomination was practically unanimous. In the ensuing canvass preceding the general election of 1904 the lawless elements concentrated their whole fight against Folk. But Folk alone, of the entire Democratic State ticket, was elected, his plurality being more than thirty thousand. He ran fifty thousand votes ahead of others on his ticket who were not fought as he was fought by the corruptionists.

During his administration as Governor he has continued to take his oath of office seriously. He was the first Governor of Missouri to enforce the laws requiring the closing of saloons on Sunday. In Missouri, as in most other States, before Folk's entry into the executive office, there had been no effort to enforce the Sunday dramshop law in the large cities of the State, where the Governor, through his police commissioners, has practically unlimited power to do so. But Folk enforced the law, and the result has been a noticeable decrease in the aggregate of Sunday crime and a perceptible saving in criminal costs. But this step aroused the brewing interests against him, and the combined liquor interests now constitute the bulwark of whatever opposition to Folk still exists in Missouri.

Chief among the scores of good laws enacted in response to the recommendations of the present Governor of Missouri are the anti-race-track gambling law, which put the most powerful gambling syndicate in the country out of business; a law making the operation of bucket-shops a felony; a general State primary election law, giving each voter in the State the right of a secret ballot in the choice of all party nominees; a law providing for the regulation of rates charged by public-service corporations, which had theretofore been permitted to charge whatsoever they pleased; a "derelict official" law, providing for the removal of public officials who fail to do their duty; a two-cent railway passenger fare law; factory inspection, child labor and pure food laws; an eight months compulsory school law, and a new road law providing for highway engineers, and designed to place highway construction in Missouri on a scientific basis. While these are but a few of the scores of good measures attributable to the influence of Governor Folk, they serve to mark out the broad scope of his work and to illustrate his deep interest alike in the moral, political, educational and material welfare of his State.

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Indeed, so numerous are his public services that the student of his work will be tempted to say, as Macaulay said of Bacon: "Turn where we will, the trophies of that mighty intellect are full in view: we are judging Manlius in sight of the Capitol."

Taken all in all, the record made by Governor Folk may be said to fairly meet the famous standard set by Edmund Burke: "A disposition to preserve, and an ability to improve, taken together, would be my standard of a statesman." While Folk's legislative record shows him to be possessed in a remarkable degree of the faculties of constructive statesmanship, and while he has shown an eminently progressive spirit in dealing with new problems as they have come before him for solution, yet his genius is, upon the whole, profoundly conservative. He expressed it in his New York address of welcome to Bryan: "In this epoch, so important to American liberty, we ask the people to set up no new gods; we ask them to follow no new paths which may lead into the quicksands of dishonor and despair. Our safest and surest guide is still the old maxim, that there shall be 'equal rights to all; special privileges to none.'" He expressed it again elsewhere when he said: "Let us be conservative in charging wrong-doing; but, once sure of the wrong, let us be radical in its extermination."

His official record presents an inspiring example of devotion to the Constitution and the laws. No American of equal fame has ever been more free from that un-American taint, the appeal to class. He knows but one Constitution—the document as it came from the hands of its makers. He knows but one code—the laws as they are written, not for the rich, nor for the poor, nor for labor nor capital, but for all alike. It has been his high privilege to vindicate the Constitution and the laws with such wisdom, with such matchless courage and with such distinguished fidelity, that everywhere the name of Folk is known it is known as a synonym for law-enforcement. He appealed to his native city to strike off the shackles of the boss; and every great city has echoed the call. He touched the public conscience, and it was awakened, as from a sleep. He brought no new doctrine, unless the doctrine of common honesty in public life was new. He offered no new theories, unless the principle of obedience to law was new. But where the sovereignty of the State was trampled upon he lifted it up, and where the law was a dead

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letter he made it alive. Multitudes who had lost faith in laws which were made only to be disregarded, and in a government which could make laws but not enforce them, have found in Folk's record a proof, a promise and a prophecy that a government of, by and for the people shall not perish. He is known by his works; more distinctly so, perhaps, than any other American of equal reputation. His career has been one rather of performances than promises; of deeds rather than words. Like Jefferson, he trusts the people implicitly, and they have not deceived him; and like Jefferson again, he is implicitly trusted by the people in return.

THOMAS SPEED MOSBY.

GEORGE GRAY.

"WHO will best lead the Democratic hosts in the impending struggle for the restoration of honest government and the constitutional rights of the States and of their people?" These words were used by Judge Gray when, at the Democratic National Convention in Cincinnati in 1880, he placed his fellow Delawarean, the late Thomas F. Bayard, in nomination for the Presidency. To-day the question may well be asked in these same words, and the name given in answer would be that of George Gray, of Delaware.

The people of the United States have before them to-day the rare and wholesome example of the office seeking the man, and in this case a man of peculiar and eminent qualifications for the position. Of the many candidates now about to be presented by both the great political parties for the coming conventions to pass upon, no one has had the experience and training which should qualify the nominee of either great party such as Judge Gray has had, and no one who has held office at the gift of the people has rendered a finer or more conscientious account of his stewardship.

Born in Delaware some sixty-odd years ago, of Revolutionary stock, Mr. Gray exemplifies those sturdy traits of ability and integrity which so well mark the men who, through the stress of the Revolutionary War and the adoption of the Federal Constitution, gave all of their best for the cause to which they were pledged. He entered Princeton College in 1857 as a Junior, and

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graduated two years later with high honors; thereafter he studied law partly at the Harvard Law School and partly in the office of his father, the late Andrew C. Gray, and was admitted to the Delaware bar in 1863. His first public office was that of Attorney-General for the State of Delaware, to which he was appointed by Governor Hall in 1879, and again reappointed by Governor Stockley in 1884. His record as Attorney-General was not only a matter of pride to his friends and admirers, but to all citizens of the State regardless of party, and the learning and abilities which he displayed readily led to his appointment as United States Senator from Delaware in 1885, to succeed Mr. Bayard, who had just entered Mr. Cleveland's first cabinet, and his election in 1887 and re-election in 1893. Immediately upon his entry into the United States Senate he became not only one of the leaders on the Democratic side, but a power in the National Legislature in assisting to pass laws for the benefit of the whole people, and in opposing measures which tended towards centralization of power and class interests. His well-remembered fight in opposition to the so-called "force bill" in 1892 can never be forgotten by true lovers of civil liberty in this country; and to the Southern States, whose cause he then represented, his name must ever be recalled with peculiar affection and loyalty. And his well-known attitude in regard to the tariff is best exemplified in his own words as spoken on the floor of the Senate in 1886, as follows: "What right has the Government to go into partnership with people who are engaged in one industry to the detriment of those engaged in another? What sort of conception of government is that which allows the hand of governmental power to go down into my pocket to take out the dollar there, not for the purpose of putting it into the treasury of the nation, but to transfer it to the pocket of another? Against this monstrous claim of power I have been protesting during all my political life. No class of our people have so suffered from the exercise of this power as the farmers of our country. Compelled to sell in an open market, and to buy in a protected one, they have borne upon their bowed backs for many years the burden of a protective tariff. I have no public ambition greater than that I may be permitted in some humble way to aid in removing some portion at least of that burden." And his position on the subject of "trusts" as recently expressed, to the effect that the passage and

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administration of law in restraint and regulation thereof should be directed towards the individuals who operate them, is too well known to require further comment. That he is opposed to centralization is no better exemplified than in his own words, when he says: "The danger of this centralizing sentiment is that it appeals to the selfishness of human nature and to the willingness to be relieved of the burdens and responsibilities of self-government. But I am persuaded that the prevailing sentiment of the American people does not favor the exchange of our self-governed communities and the individual liberty that they foster for the paternalism of a national Government, which suppresses the one and must, in the nature of things, tend to extinguish the other. . . .

"I do not believe in centralization. It would seem that, having survived through more than a century, our dual scheme of government has passed the experimental stage, and was destined to rest for generations to come on the foundations upon which it was erected. We cannot, however, close our eyes to present-day conditions, which, if they do not now seriously menace the permanence of our constitutional scheme, at least should challenge serious thought." In 1898, President McKinley appointed him a member of the Canadian Joint High Commission, in connection with which he rendered well-known and eminent services, and later, at the close of the Spanish War, he was appointed a member of the Paris Peace Commission, and after his return was largely instrumental in securing the ratification of the Spanish Treaty by the Senate. After the close of his term as Senator he was appointed United States Circuit Judge, and has since occupied this position upon the bench with an increasing reputation for fair-mindedness and high order of ability.

When the whole country was shocked at the strife of the miners and operators in the anthracite regions, Judge Gray was appointed at the head of the commission to arbitrate their differences, and so just and able were the findings of the commission in which he was so largely instrumental that to-day his name is a beloved household word among all the coal miners of the country and a synonym for fairness and justice with all employers of labor. The coal strikes threatened or occurring since the anthracite strike in 1903 which have been referred to him as arbitrator have passed off so quietly and successfully that we are

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not apt, in the busy rush of to-day, to notice the vast accomplishment of the powers of one man to satisfy both parties to such harsh controversies. And perhaps, but for the fact that the daily papers had noticed the reference to him as arbitrator of the differences between the operators and the miners, the public at large would hardly have known of the great and lasting good he was doing for all the people. And growing out of this series of arbitrations we must not forget his words in an address delivered before the miners in Pennsylvania, wherein he said: "It is individual liberty—not class liberty, not corporation liberty, not guild or society liberty—that our fathers fought for and established on this great continent. The right to your home; the right to go and come; the right to worship God according to the dictates of your own conscience; the right to work or not to work, and the right to be exempt from interference by others in the enjoyment of those rights; the right to be exempt from tyranny of one man or of a few; the right to so live that no man or set of men shall work his or their will on you against your consent. This is liberty worth living for. It is liberty worth dying for. And it was this blessed inheritance that has come to us from the fathers and which means to us all that it meant to them. While it is maintained all things are possible that tend to the expansion, the development, prosperity and glory of our common country. Under the folds of our dear flag I fondly believe this liberty will live forever among us. That is what our flag means to us, and that, as it floats over the land and over the sea, is its message that it delivers to all of the toiling millions in other lands."

Judge Gray, by reason of the pre-eminent ability which he has shown in the many public offices which he has been called upon to fill, is now well known to the whole people of this country, regardless of party, and while his name was presented at the National Democratic Convention in 1904, the circumstances leading to Mr. Parker's nomination were too strong to permit any show of success for Judge Gray. But to-day, when every one, regardless of party, is looking for a man to whom the high office of President can most safely be entrusted, many Republicans as well as Democrats find in him the man of their real choice. The resolutions adopted by the Democratic State Central Committee of Delaware in December last state: "The Democratic State Central Committee of Delaware desires to call the attention of

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Democrats to Judge George Gray, whom we believe to be the most available man for the Presidential nomination. It is known that Judge Gray is not personally desirous of being a candidate for this great office, but we believe that if nominated he would lead his party to victory at the polls, and if elected he would make a great, wise and good President. Therefore, not to gratify Judge Gray, and not in accordance with his wishes, but to promote the welfare of our party and country, we conceive it to be our duty to urge his nomination upon the consideration of fellow Democrats in our sister States." And the resolutions instructing the Delaware delegation to work and vote for him at the coming Democratic National Convention include these words: "The time has come when the Democratic party needs a national victory. The welfare of the nation also demands a Democratic victory. In George Gray we have a Democrat in whom all classes of our voters and all of the conflicting interests have perfect confidence. The great bodies of wage-earners and the rank and file of men engaged in larger business enterprises would alike be glad to accept and support him, knowing that the rights of each and all would be equally protected by him.

"For the reasons we have indicated, we, his neighbors, knowing his great attainments, his sound and just judgment, his civic courage and his pure patriotism, commend his name to the Democrats of the nation as the man best fitted to lead the party in the coming campaign and to conduct the affairs of government in the event of Democratic victory."

With such a man as its standard-bearer surely the Democratic party can go into the coming campaign with every prospect of success. For not only does Judge Gray represent in their best sense the principles of true Democracy, but also the principles which all true lovers of our national Union believe in.

THOMAS F. BAYARD.

JUDSON HARMON.

IF the history of half a century past is to be taken as a guide, a successful Democratic candidate for the Presidency must come from a State torn with factional dissension, and must show among his credentials strong opposition at home. Even a candidate at other times invincible, if nominated with the unanimous endorse-

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ment of his own State, becomes temporarily clothed with the attribute of vincibility.

One of the four or five men who have been most discussed throughout the country will not be presented for the nomination by his own State at the Denver convention. Yet after a hard contest he has become the party's candidate for Governor of Ohio.

The peculiar constitution of the Senate, and its present overwhelming Republican majority, make the enactment of any party legislation during the term of the next President an impossibility if he be a Democrat. Any change in the Federal statute-book will be non-partisan in character. So far as he affects the policy of the country without first securing the consent of his political adversaries, it will be by his method of enforcement of laws already existing. But if as an executive he concentrates the attention and commands the approval of the nation, he will establish his party as well as himself in the public confidence, and eventually bring the party into an effective working majority in both branches of the national Legislature. Circumstances beyond its control will force the Democratic party, if entrusted with the executive power for the next four years, into a position of conservatism. It will not be devising new laws, but seeking what may be accomplished with the laws that we have now. In selecting its candidate it may wisely seek for a man who is not only an administrator of proved capacity, but also experienced in the workings of the great organism by which the public business of the nation is done; in other words, for a man who has won distinction in a Cabinet position. That is one of the reasons for the prominence which has been given to the name of the last Democratic Attorney-General of the United States.

No man becomes President of the French Republic, or Prime Minister of France or of Great Britain, without previous experience in a Cabinet position. Our earlier tradition was the same; and while since the days of national conventions the man of Federal executive experience has had less advantage over the military hero, the favorite son and the dark horse, yet Van Buren, Clay, Cass, Buchanan, Bell, Grant and Blaine, like Jefferson, Madison, Monroe, Adams, Crawford and Calhoun, were nominated from among men who had had Cabinet experience, while Roosevelt's knowledge of practical statecraft was gained in subordinate Federal positions at Washington. For the purpose

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of familiarizing its occupant with the whole machinery of the Federal Government no office below the Presidency is superior, perhaps none equal, to that of the Attorney-General. For he, besides controlling his own department, is the legal adviser, and therefore in a large sense necessarily the general adviser, of the President and of the other members of the Cabinet.

Judson Harmon was born in Ohio on February 3rd, 1846. His father was a Baptist minister. He was graduated at Denison College, an educational institution of that denomination, at the age of twenty. He was a baseball-player there, and is an athlete still. Twice as a boy, when his native State was threatened with invasion, he joined volunteer organizations hastily formed for its defence. At seventeen (to use his own words), when Morgan crossed the State on his famous raid, "I joined a volunteer company of cavalry and pursued him; at least, he travelled rapidly ahead of us and in the same direction for some days." In 1869 he was admitted to the bar and settled in Cincinnati. After seven years of active practice, he was elected Judge of the Court of Common Pleas of Hamilton County, but was unseated by a Republican Legislature after a few months of service. His popularity and brilliant qualities, and his eminent fitness for judicial office, led to his election by very large majorities in 1878, and again in 1883, to the bench of the Superior Court of Cincinnati, a tribunal famous for the large number of distinguished men who have been among its members. Soon after his election he was joined by Joseph B. Foraker, who after short judicial service went back into active politics and became the Governor of the State. The reputation which Harmon made for himself as a judge, as is so commonly the case, deprived the community of his judicial services. Early in 1887 George Hoadly, one of the leaders of the bar of the United States, removed from Cincinnati to New York, and his partners invited Judge Harmon to resign and fill the vacancy in their firm. Harmon accordingly tendered his resignation to Governor Foraker, who appointed as his successor William H. Taft. For a little more than eight years, as one of the recognized leaders of the Cincinnati bar and head of a law firm having wide business connections, Judge Harmon was out of public life. Then President Cleveland appointed him Attorney-General of the United States to succeed Richard Olney, upon the latter's promotion to the office of Secretary of State.

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The efficiency of Judge Harmon's administration of the Attorney-Generalship, which he held from June 8th, 1895, to March 3rd, 1897, was conceded. It was a period when great administrative ability was needed in all the departments of the Government, and was found there: the close of the lean years of bad crops and financial fallacies, when the country was recovering from the legislative extravagances and follies of 1890, and being put upon the firm foundation that has supported the extravagance and imperialism of the past decade. Space forbids discussing more than one feature of his work. That which is now of most public interest is probably the establishment of the Federal power to deal with corporate aggression under the commerce clause of the Constitution. Among the biographers of Republican Presidential candidates in the May number of this REVIEW, one claims that this power was a "new idea" of his own hero (an Attorney-General of later days), quoting in support no less an authority than the present President; and, indeed, the claim contributed considerably to the marvellous combination of history, mythology, prophecy, politics and cash by which the great popular majority of 1904 was rolled up. But the "new idea" had been long before propounded in a statute of disputed authorship, passed by non-partisan vote, known as the Sherman Anti-Trust Law of 1890; and its enforceability was first and for all time demonstrated by Judson Harmon.

When he took office the judicial decisions had been so adverse that the general opinion of the bar had pronounced the law impracticable of enforcement. The only case that had been pending long enough to reach the highest tribunal before the administration should come to an end was the so-called Trans-Missouri case, which had been commenced by the Harrison administration, but had been unsuccessful in both the lower courts. It had been let drag in hopes of finding one more advantageous to the Government to make a test of, but in default of a better, Attorney-General Harmon took it up. He briefed and argued it himself against an array of the ablest lawyers whom the companies could bring together, put behind it the whole force of his intellect and personality, and won it by a vote of five to four, establishing the constitutionality of the law and its enforceability against a combination of railroad corporations.

To Secretary Taft, as his biographer claims, belongs the fame

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of writing the first judicial opinion sustaining a suit under the Anti-Trust Law against a combination of industrial corporations; but the suit was brought by Attorney-General Harmon. This was the Addyston Pipe case, commenced late in 1896, when evidence long vainly sought came suddenly into the hands of the department, and so rapidly pushed through its earlier stages as to be in shape for argument at the appellate tribunal within three months after the Cleveland administration ended. The Joint Traffic Association case was also commenced and carried through the first two courts during Judge Harmon's term, and its ultimate success was made possible by the Supreme Court decision in the Trans-Missouri suit. That decision was not handed down until just two weeks after his retirement to private life; but the original work, the difficult work of construing and establishing the law, had been then already done. Early in his term the House of Representatives asked him what further legislation was necessary in his opinion. He answered, indicating certain amendments which would make the law effective, and saying that if he was to conduct investigations as to its violation he must be provided with a liberal appropriation for that purpose. On November 30th, 1896, he repeated his recommendations in submitting his annual report to Congress, and again called attention to the fact that his fund was "wholly inadequate." The Republican Congress preferred that the trusts and conspiracies should flourish, rather than that so energetic a Democratic official should receive needed assistance in curbing them.

Among the amendments thus proposed by Attorney-General Harmon to the Anti-Trust Law was one which would probably have been more effective than any that have received the endorsement of the present administration. He proposed to insert that terror to evil-doers, a clause casting upon the defendants the burden of proof as to matters peculiarly within their own knowledge. To the same effective weapon he appealed when retained with Mr. Frederick N. Judson of St. Louis, some years later, as special counsel for the Government for the punishment of unlawful rebates granted to certain shippers of coal by the Atchison, Topeka and Santa Fé Railway Company. The so-called Elkins laws of 1903 had taken away the penalty of imprisonment in criminal proceedings, but before the rebates an injunction order had been issued, of which if valid they constituted a violation.

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The then Attorney-General concurred with the special counsel in regarding the order as valid. The latter recommended that the railroad "and all its principal officers and agents who had during the period above named or any part thereof power and authority over traffic agreements and freight rates, be arraigned for contempt of court." But the Attorney-General, after consulting the President, took the position that the granting of rebates by a railroad company, although upon an enormous scale and to a shipper of great power and wealth, affords no sufficient presumption that the traffic officers of the company knew or suspected what was going on. Messrs. Harmon and Judson then withdrew from the case, saying, "The violation by a corporation of an injunction directed against it and its officers always calls for a rule against such of them as had control of its conduct to show cause why they should not be held personally responsible. They are *prima facie* guilty of disobedience. It was their duty to see that the acts forbidden were not done, as well as not to do them. . . The action of the corporation is necessarily presumptive evidence against its principal officers who had charge of the department in question. . . . What we have said is peculiarly true of the great corporations of our day. They cannot be imprisoned, and punishment by fine is not only inadequate, but reaches the real culprits only lightly, if at all. The evils with which we are now confronted are corporate in name but individual in fact. Guilt is always personal. So long as officials can hide behind their corporations, no remedy can be effective. When the Government searches out the guilty men, and makes corporate wrong-doing mean personal punishment and dishonor, the laws will be obeyed." The nomination of Harmon would be the adoption of his theory of how to deal with corporate abuse and corporate crime.

Except for that one abortive retainer, Judge Harmon has been out of public life since March 3rd, 1897. His career has been as a leader in court, as an adviser in important business transactions, and as an arbitrator of important controversies. The reputation which he made as a business executive at Washington he has increased by his skilful management of insolvent railroad corporations. In 1899 he was appointed receiver of the Baltimore & Ohio Southwestern Railway Company, and remained in office for about a year. In 1905 he was appointed by

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Judge Lurton, upon consent of all parties, as receiver of three railroads, the Père Marquette, Toledo Railway & Terminal, and Cincinnati, Hamilton & Dayton, having in all 3,500 miles of road and 18,000 employees. The last named is still in his hands. Upon taking charge, he declared his belief that a railroad could be fairly and honestly managed according to law without losing its business, and that this was exactly what he proposed to undertake to show. The employees and patrons of the roads are the witnesses to his success. EDWARD B. WHITNEY.

JOHN A. JOHNSON

IN selecting the candidate of a political party two considerations should be kept in view. The candidate must first be worthy and, second, available, or likely to be elected. No candidate should ever be considered who does not possess the first attribute and if the inquiry were to end there it would not be at all difficult to make a selection. When the second element is sought to be combined with the first, greater difficulties arise.

There are many well-meaning people who seem to consider that it is evidence of venality or at least of a lack of high ideals to pay any regard to the practical side of politics, and yet, if one believes that the success of his party is essential to or even desirable for the best interests of the country it becomes his duty by all honorable means, which must also be practical means, to secure that success. "A glorious defeat" is often beneficial to an individual or a party, but a series of defeats inevitably results in disaster. Idealists have rocked the world, but those who have rocked it for the best results have combined the enthusiasm of the idealists with practical common sense. Peter the Hermit preaching the Crusades did not advocate sending children or unarmed men to Palestine. Columbus did not imagine he could prove the truth of his claims by trying to swim the ocean.

Again, the availability of any particular man depends upon existing conditions at the time his claims are being considered. General Grant, who seems to have been devoid of the slightest approach to vindictiveness, made an admirable President immediately following the Civil War, but no one believes that his training, accomplishments or disposition would have fitted him to cope with the problems of to-day.

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The state of the public mind in this country at the present time must be taken into consideration. Almost overnight there has come the belief that American ideals have been lost; that a few have sequestered the wealth which should belong to many and no one is now so sure of an audience as he who accuses some one of "grafting."

The Republican party, through whose protective tariff this condition has been produced, finds its leader the fiercest in denouncing present conditions, while the lesser lights of the organization sigh for the good old days of peace and large profits.

The attitude of the Democratic party for many years past has been most unfortunate. Man is a progressive animal and the American man is both impatient and progressive, but the last three platforms of the party might be epitomized in the words "come back," and so while we have contented ourselves with mumbling, "The old days were better than the new," President Roosevelt has taken up the Sherman anti-trust law, discarded by a Democratic administration as worthless, and at least has convinced the people that there is something moving, moving to the great satisfaction of some and to the dismay of others, but all are conscious of the motion.

The situation presents an opportunity for the party and for the man. What is required in a Chief Magistrate at this time is honest purpose, intelligence, knowledge of affairs, calm, deliberate judgment and cool, serene courage, the courage to refrain from catering to extreme fanatics as well as the courage to stay the spoiler's hand, no matter whose it may be; withal he should be a constructive statesman, for we are in a period of transition. The people have been so eager to foster great enterprises, that they gladly went on their knees to public service corporations, and it is not surprising that now when they attempt to reverse the position a heavy hand, not unlike the "dead hand" of English history, seeks to prevent them from rising. Let us pray with Carlyle that the readjustment come not "In a horror of great darkness, and shakings of the world and a cup of trembling which all nations shall drink."

These are severe tests by which to judge any candidate, but apply each in turn to John A. Johnson, the present Governor of Minnesota, and it is remarkable how the operation reveals his peculiar fitness as a candidate for the Presidency.

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Governor Johnson was born in Minnesota of Swedish parents about forty-seven years ago and has under peculiarly adverse circumstances fought his way to his present position. He has been newspaper editor, Captain of Militia and State Senator, bearing himself modestly and indeed, as he still does, with an utter lack of self-consciousness. It was not until he became Governor that even the people of his native State recognized his really great qualities. It is true he assumed the duties of that office with a personal record free from taint or blemish, with the respect and kindly regard of all who knew him, but from that time on he became, as the Democratic Governor of a Republican State, a marked and closely watched man.

The Western people, as a rule, are not intensely partisan, and this is particularly true in Minnesota, where honest effort by public officers meets with a quick response. The Legislature and the other executive officers of the State, although belonging to a different party from the Governor, accorded him cordial support, and under the inspiration of his example and advice reform after reform has been introduced, the public business transacted with an alertness and despatch hitherto unknown, until now it can be said that Minnesota is one of the best-governed States in the Union. And all this has been done in so direct, simple and yet kindly a way that love for the Governor's personality has kept pace with admiration for his ability and character, so that if he were to be a candidate for re-election this year there would be no doubt of his success.

It must not be understood, however, that during the three years Mr. Johnson has been Governor he has had no encounter with "the interests"; upon the contrary, he has met and overthrown or brought to terms almost every large interest in the State. Timber trespassers, thieving insurance officials, tax dodgers and powerful railroad officials have successively been unhorsed by his lance and in such a way as to remind one of Scott's description of the "Gentle and glorious passage of arms at Ashby."

To illustrate: At the convening of the Legislature of 1907, the liquor interests feared the passage of a law granting local option to the counties of the State. The leading brewer sought an interview with Governor Johnson and asked him what he would do if such a bill was enacted. The reply was instantaneous: "Such a measure is peculiarly within the sound discretion

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of the Legislators and no Governor would be justified in vetoing it; if the bill passes the Legislature I will approve it and so would you if you were Governor." "I guess that's so," returned the caller and the interview ended, but with no animosity rankling in the heart of the man whose interests were likely to be affected, because perforce he recognized the frankness and honesty of the public official who proposed to simply perform his duty.

This same unostentatious method of going directly to the heart of a situation was shown in the Governor's conduct during the great strike last summer in the iron mines, in which some seventeen thousand miners were involved. At once the usual demand for troops was made by the Steel Trust; instead, Mr. Johnson went himself to the scene of the strike, gave definite and precise interpretation to the respective rights of the parties, convinced both sides that he was not only impartial, but prepared and determined to carry out the law and preserve the peace, and the strike passed into history with a record of less disorder than would have occurred in the affected region under normal conditions in the same length of time.

In making appointments to office, Governor Johnson has selected men of the highest standing regardless of political effect, and his appointments to the bench, to the regency of the University, to the tax commission, as well as all other departments, demonstrate his independence and singleness of purpose. His subordinates have always realized this, for whenever a question of policy has arisen, the final instructions of the Governor have always been to follow the law regardless of the political effect.

John A. Johnson is the most available candidate the Denver Convention could select. He has made it eminently respectable to be a Democrat in Minnesota, and if he were the candidate of the party for President he would accomplish the same result in Michigan, Wisconsin, Iowa, the two Dakotas, Colorado, Oregon, Washington and perhaps Illinois, New York and the New England States. He has so many elements of strength that it is impossible to analyze them all within the limits of such an article as this, but a Democrat in the prime of life who has succeeded in everything he has undertaken, who as Governor of one of the great progressive States has compelled the love of his party and the admiration of his opponents, who has in his private or public life nothing to explain or apologize for, and who by reason of his

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residence, antecedents, race and personality gives the very highest promise of success—must be considered most available.

THOMAS D. O'BRIEN.

HENRY WATTERSON.

HENRY WATTERSON, of Kentucky, holds a distinctive and distinguished place in the politics and journalism of the time. He is, and has been for thirty years, the most widely quoted newspaper writer of the country. Until the Free Silver Movement of 1896, he stood to the Democratic party in the same relation which Horace Greeley had borne to the Republican party until 1872, when Greeley became the Democratic nominee for President, but, unlike Greeley, Watterson did not sever his party relations in 1896. He is still a Democrat, and, although he has consistently declined to accept office, his friends believe that, if he were nominated for President, he would bring to the campaign and election an independent following such as no other candidate could command.

Mr. James Gordon Bennett, and the late Mr. John W. Mackay, never wearied of recounting his availability and his virtues. Since 1888, the New York "Herald" has each four years put him forward as the one Southern leader who could unite the two sections of the Union. It is certain that he is the only Southerner whose record could stand before the close, critical inspection of the North.

He came out of the Civil War thoroughly reconstructed, having gone into it reluctantly, opposed to slavery and secession, but going with his State, which was at that time Tennessee. He might be called "the great pacificator," for he antedated all others, except General Grant, in his appeals for sectional reconciliation, accepting and describing the three last amendments to the Constitution as, "The Treaty of Peace between the North and the South," passing to and fro between the two hostile political camps preaching justice to the negroes by the people of the South and justice to the South by the people of the North, and preparing the field for such sowers as Lamar and Grady, who came long after, the one his close associate and friend, the other his professed pupil and disciple.

He fought Greenbackism, and all forms of fiat money, against

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the united sentiment of the West and South, and twenty years later gave up an undisputed leadership to fight Free Silver. His cable message from Geneva in the latter year, "No compromise with dishonor," rang like a bugle note and gave the signal for Sound Money Democracy.

From 1872 to 1892, he either wrote or dominated the National Platforms of his party, a leading figure in its National Conventions. He was the author of the Democratic Tariff Policy embraced by the demand for "A Tariff for Revenue Only," which he incorporated in the Platform of 1876, having been as early as 1872, with David A. Wells, the most earnest and aggressive assailant of the Protective System, the *beau sabreur* of the Free Traders as Wells was their Heavy Artillerist. At Chicago in 1892, he changed the Platform agreed upon in Committee, in open Convention, by a two-thirds vote. He is likewise the author of the slogan, "Back to the Constitution."

Mr. Watterson was the confidential friend and lieutenant of Mr. Tilden, presiding over the National Convention that nominated him for President and accepting a seat in Congress solely on Mr. Tilden's insistence, that great man desiring, as he said, "A personal representative on the floor of the House during the counting of the Electoral Vote." As recognition of his party standing he was placed on the Ways and Means Committee and was the most influential member of the Joint Democratic Steering Committee made up of six Senators and eight Representatives. He opposed the Electoral Commission Bill in Committee, but supported both the Bill and its ultimate findings in the House. During all these high party times no word that could be called sectional—that was not broadly national—fell from his tongue or pen. Such a line of antecedents can be presented by no other Democrat—certainly by no other Southern Democrat—and the friends of Mr. Watterson think that, submitted to the people, along with great oratorical talent and a most attractive personality, his candidacy, carrying with it a united South, would as surely carry the independent vote and draw from the more liberal Republicans a larger diversion than could be hoped for by any other Democrat.

Mr. Watterson's attitude on the Negro Question would insure him the bulk of the colored vote of the North, for late and early he has stood for the elevation and education of the black people

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of the South, fighting their battles when it was not, in Kentucky, even physically safe to fight them.

The non-partisan demonstration which he recently encountered, when, after thirty years of absence, he appeared on the floor of the Hall of Representatives at Washington, is cited in proof of his extraordinary personal popularity. Both sides of the House rose and cheered him to the echo, Republicans vying with Democrats to do him honor.

But Mr. Watterson has steadfastly refused to stand for office. Declining to allow himself to be voted for as United States Senator for Kentucky, not long ago, he said:

". . . It may not be improper, or irrelevant, for me to repeat, what I have often declared, that if a certificate of election were placed in my hand I would not go to Washington to take the oath of office. If I had wanted that sort of thing I would have sought it thirty years ago, when, as a young man, I stood in the line of succession and all the ways were open to me.

"I was born and grew up in the National Capital. I was brought into too close touch with the ups and downs, particularly the 'downs,' of political life to be enamoured of it. In point of fact, I knew too familiarly too many poor great men, their servitude, their disappointments and their sorrows. I early resolved that if I ever gained a footing in my chosen profession I would not follow the fatal examples of Greeley, Raymond and Forney, but would pursue my destiny as ever a free man and never a slave wheresoever it might lead me, hewing to the line, leaving the chips to fall as it pleased God and Truth. From that resolution I have never swerved. . . .

"I not only want no preferment, but I protest against newspaper nominations to office which imply that journalism is not an eminently honorable Department of the Public Service. The journalist who has his weather eye fixed upon office cannot be a disinterested journalist, and disinterestedness is the soul of journalism. Men in their places are the men who stand; not self-seeking aspirants dazzled by the glitter of the footlights of Washington.

"Success in public life means preparation as much as success in professional life. No man is born to it. Experience, special training, aptitude, no less than ability and learning and eloquence, lie at the foundation of a career in statesmanship, and whilst all these great qualities might exist in a journalist, they would not necessarily fit the wearer to shine upon the scene of another stage of action. Mr. Greeley, Mr. Raymond and Mr. Forney paid the penalty for the mistake of mixing journalism and officialism with shipwrecked lives and broken hearts. As I said in the outset, I early made up my mind never to follow in their footsteps.

"I am profoundly grateful for the good-will of my professional brethren.

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But I cannot help feeling a kind of resentment that they should think office a 'promotion' and call it a 'reward.' It is rather a badge of servitude. For all dignities my respect is reverend; of the Army and the Navy, of the Senate and the Church; but there is also a dignity in duty done for its own sake, in pride of profession for its own sake; and this dignity cannot be enhanced by any blue ribbon or titular distinction."

It is believed by Mr. Watterson's friends that good Presidents are made of just such stuff, and they point to their favorite's long familiarity with affairs—a Doctrinaire among Statesmen and a Statesman among Doctrinaires, as John Russell Young once aptly described him—his intimate knowledge of men and measures of his time—his sturdy independence—his orthodox Democracy of the School of Jefferson and Tilden—his sound record on every national question—as not only eminently fitting him for the office of President, but as going to the making of a vote-catching candidacy in case the managing politicians, with whom he has never been a favorite, except during doubtful campaigns, felt themselves compelled to take a Southerner as their standard-bearer.

For nearly forty years Mr. Watterson has represented the best thought of the South. He has stood by his convictions with a devotion that has known no rest, and a courage which would not yield an inch to sectionalism or partyism where these seemed to him in the wrong, and he has lived to see every position for which he fought so valiantly vindicated by events. Closing a long article upon his career, particularly as the friend of the black people of the South, the "Kansas City Star," itself one of the foremost of the enlightened and independent journals of the West, made the following summary, which in a national campaign would be amplified by abundant specification:

"Mr. Watterson is now, and for a long time has been, the wisest counsellor in his party. He is right on every great question he discusses. He is not only right, but he is courageously, aggressively right. He is far-sighted. When others are groping their way, he has arrived at the correct conclusion. And his present conclusions ought to have additional weight in view of the vindication of those of the past."

O. O. Stealey.

WOODROW WILSON.

On March 4th, 1909, twelve years will have elapsed since Democrats lost control of the Federal Government. The two imperative questions as to which it now behooves them to make up their minds quickly are: first, do they believe that William

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J. Bryan can obtain a majority of the electoral votes next November; and, if they feel themselves constrained to answer this inquiry in the negative, Do they deliberately prefer to lose the Presidency with Mr. Bryan or to win it with some other candidate? That Mr. Bryan cannot be successful, or, in other words, that he cannot get the 242 electoral votes necessary for a choice, is patent on the record of his two experiments. In 1896 he obtained only 176 electoral votes against McKinley's 271; in 1900 he got but 155 against McKinley's 292. If, now, we turn from aggregates to an examination of the figures in detail, we find that it was especially in the West, his "own country," that on his second experiment Mr. Bryan converted what four years before had given a promise of victory into the assurance of hopeless defeat. In view of these undisputed facts, what possible chance has Mr. Bryan of achieving more this year than he achieved in 1900, or even of recovering what he possessed in 1896?

Before putting forward the name of a substitute for Mr. Bryan, who is not yet by any means assured of a two-thirds vote in the Democratic National Convention to be held next July at Denver, let us inspect somewhat narrowly the conditions with which a Democratic nominee must comply if he is to gain the Presidency. He may count, of course, upon retaining the 120 electoral votes belonging to Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia. He ought also, if he is to have any prospect of triumph, to carry all the border States, with the exception of West Virginia (which, apparently, is unobtainable), namely, Delaware, Maryland, Kentucky and Missouri. All of the States, however, thus far named would not suffice. He would require also to carry New York, New Jersey and Connecticut, with either Indiana or Minnesota and North Dakota. Having thus got clearly in our mind the precise goal to be attained, it behooves us to look carefully for a man capable of attaining it. First, then, as regards the former slave States which lie on the border, and which (including West Virginia) gave Mr. Roosevelt four years ago 29 electoral votes, as against 20 given to Judge Parker. When one recalls that not since 1844 has the united Democracy nominated for the Presidency a man born and brought up in the South, can anybody familiar with the force of sectional pride believe that, if a Southern man were now put forward as the

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Democratic standard-bearer, he would fail to sweep all of the former slave States from Delaware to Missouri, with the sole exception of West Virginia, or that even there he would not poll a phenomenal vote? Whatever else the presentation of a Southern nominee might accomplish, it would unquestionably stop, and probably once for all, Republican inroads upon Southern territory. Moreover, on patriotic, as well as partisan, grounds it has become expedient that the Democracy should nominate for the Presidency a man of Southern birth and breeding. Is it not obviously true that, although nominally the South was restored to the full privileges of States in the Union, when she was permitted to send Senators and Representatives to Congress she remains partially disfranchised so long as her sons are debarred from the highest honor in the gift of the Republic? We shall never witness a veritable reunion—not of force and law, but of heart—until, with the cordial concurrence of a large part of the North, a Southern man becomes Chief Magistrate. We profess in the North to have forgiven the South, but not yet can we claim to have brought forth fruits meet for forgiveness. In the South they professed—and they proved in 1898 that the profession was sincere—to have accepted accomplished facts and to have acquiesced loyally in a Union which they had failed to subvert. As we pointed out some two years ago in this REVIEW, their acquiescence deserves acknowledgment and their loyalty reward. That reward can only take one adequate, one convincing, one decisive form, namely, the elevation of a Southern man to the Presidency of the United States. As we also formerly pointed out, no observant and fair-minded Northerner will deny the existence of an abundance of Presidential timber in the South. It is not true that the States once Confederate have lost the breed of statesmen that used to dominate the Commonwealth. We could name many a Democratic Senator to-day, and more than one Democratic Representative or Governor, who, in respect of political experience, political insight and political prescience, measures fully up to the standard of Chief Magistrate. May it not, however, be true that these distinguished Southern legislators and State executives, by the very reason of their prolonged prominence in public life, and of their strenuous and gallant upholding of the interests of their section, are ill qualified to extirpate lingering prejudices at the North that ought to be extinct, and to

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quench the last flickering embers of sectional animosity which it is a shame to keep alive? In the consideration of this question we would have our Democratic readers bear in mind that the question of nominating a Southern man to the Presidency is complicated with the imperative necessity that the first *post-bellum* Southern administration shall be memorably successful. If the first Southern administration since the Civil War should prove a failure, or only a half success, it is much to be feared that there would never be another, so vast and so rapidly increasing is the numerical preponderance of the North. To insure the necessary entire success it is indispensable that the temper of the Republicans, if beaten in 1908, shall be resigned and acquiescent, not angry, vindictive and defiant. In other words, if a Southern-born and a Southern-bred President is to leave behind him a bright record of constructive statesmanship and useful legislation, he must have the good-will, if not the active support, of the whole country, and such good-will is only to be gained from a conviction deep implanted at the North as well as at the South, that both sections can count upon his sympathy, and, above all, upon that intimate acquaintance without which sympathy is fruitless.

It is doubtless as true to-day as it was when we made the assertion in these pages two years ago, that such indispensable, all-embracing sympathy, such intimate and comprehensive acquaintance with the views, wishes and interests of all sections of the Republic, is not possessed at the present juncture by any professional Southern politician. No veteran Southern statesman would claim it, we think, though we are sure that more than one of them sincerely regrets the lack of it. Is it necessary, however, that the Democracy, in its search for a worthy and promising candidate for the Presidency, should confine itself to men who have spent the best part of their lives in the political arena? In this country political parties that have coveted success have not always circumscribed thus narrowly their field of selection. It was not, of course, his brief and almost speechless legislative experience in the Virginia Assembly that caused Washington in 1788 to receive every electoral vote for the Presidency. It was not his civil record in Tennessee that carried the victor of New Orleans to the White House in 1828. It was not the fact that he had been a member of both Houses of Congress and Governor

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of Indiana Territory, but the fact that he had triumphed at Tippecanoe and had beaten British soldiers in the War of 1812 that caused the country to go "hell-bent" for William Henry Harrison in 1840. It was, of course, the battles of Palo Alto, of Resaca de la Palma and of Buena Vista that made Zachary Taylor Chief Magistrate, although he was asserted and believed never to have voted in his life. If the Republicans were overwhelmingly successful in 1868, it was because their choice had fallen on the man who hailed from Appomattox, although he had not voted for years, and although the latest vote cast by him before the Civil War is alleged to have been cast for a Democrat.

Nor, again, as we pointed out in 1906, have party managers in the United States always confined themselves to the army when, turning away for the moment from professional politicians, they have discussed or agreed on the selection of a candidate from some other field of public usefulness. We can see, for instance, in retrospect that if the Republican National Convention in 1856 had followed the advice of Thaddeus Stevens and nominated Justice McLean of the United States Supreme Court the latter would probably have carried Pennsylvania and, in all likelihood, have gained a majority of the electoral votes. Is it only in the legislative arena, in the army or in the judiciary that great political parties must seek a name to conjure with in contests for the Presidency? Is it true that, as things are now, the intellect of the nation flows solely or mainly through those channels? Has not industry its generals, its commanders-in-chief, its conquerors? It is possibly true, however, that in our day, owing to the inimical relations of labor and capital, a conqueror in the field of industrial evolution, highly qualified as he might be on the score of intellectual worth and of services to the country, would be unavailable as a candidate if considered from the viewpoint of his vote-getting ability.

There remains a field of activity and usefulness, the importance of which to the nation cannot be overestimated, nor would any thoughtful man dispute that the eminent and fruitful workers in that field may challenge the highest office in the gift of the American people on the score of merit and of availability. We refer, of course, to the victors in the vast and inestimable department of public instruction; to the great captains of the higher education. The designation of such men for distinguished func-

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tions under the Federal Government is by no means unprecedented. George Bancroft had been a college tutor and schoolmaster, and he left incomplete his famous "History of the United States" to become Secretary of the Navy in the Polk administration, and subsequently he was sent to represent his country in London and in Berlin. Edward Everett left the Presidency of Harvard College to become Secretary of State. Mr. Andrew D. White, the former President of Cornell University, has more than once been invited to occupy the highest posts in the nation's diplomatic service. No one has ever disputed that the statesmanlike duties assumed by these organizers, directors and inspirers of the higher education were admirably discharged. Why, then, should not the Democratic party in 1908, when seeking a nominee for the Presidency, who will not only deserve, but command, success, turn its eyes in the same promising direction? Is it not quite possible to find among the Presidents of honored universities a man richly qualified for the headship of the Federal Government by great natural ability, by long and distinguished professional experience, by the illuminating and invigorating trend of his historical studies, by the sanity and prescience of his political and politico-economical opinions, by his exceptional popularity and by his unique power of securing the confidence, the sympathy and the support of all sections of the Union—South and North?

We submit that such a man may be found in Woodrow Wilson of Virginia and New Jersey, now President of Princeton University. Woodrow Wilson was born at Staunton, Virginia, in December, 1856, and is not, therefore, fifty-two years old. After graduating from Princeton in 1879, and studying law in the University of Virginia, he began the practice of his profession in Georgia, where he married a native of Savannah. Impelled by his personal tastes and aptitudes to transfer his energies from the law to the field of the higher education, he became successively a Professor of History and Political Economy in Bryn Mawr College and in Wesleyan University; then a Professor of Jurisprudence and Politics at Princeton; and, finally, since August, 1902, he has been the President of the last-named seat of learning and of science. We need not say that he is held in the highest honor by every Princeton graduate and by all university men in the United States. He is known to a multitude of thoughtful

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readers as the author of "Congressional Government: A Study of American Politics"; of "The State: Elements of Historical and Practical Politics"; of "Division and Reunion, 1829-89"; of a life of "George Washington"; and, finally, of an elaborate and comprehensive "History of the American People." No one who reads understandingly the last-named work can fail to be impressed with the conviction that, by instinct and education, the author is a statesman. The grasp of fundamental principles, the seemingly intuitive application of primary truths to changing conditions, the breadth of thought and the cogency of reasoning exemplified in the "History of the American People" have rightly been acclaimed as clear evidences of sagacity worthy of Virginia's noblest traditions, as have also been the eloquent appeals addressed in 1905 by President Wilson to his brethren of the South, in which he called upon them to rise manfully from the ashes of prejudice and lethargy and come back into their own. It was only last month that in the pages of this REVIEW President Wilson directed attention to the ominous fact that we are now stripping the States of the powers reserved to them in the Tenth Amendment of the Constitution, and transferring those powers to the hands of Federal commissions. In the same article he warned us that this centralizing process was sapping the "vitality" of the Union, and that uniform Federal regulations of the economic conditions of a territory so vast and a people so various as are those of the United States would be highly mischievous if not impracticable.

We have pointed out the qualifications of Woodrow Wilson of Virginia and New Jersey on the score of intrinsic merit and of availability for the Democratic nomination for the Presidency in 1908. If, now, we are asked what States we believe that he could carry we answer, first, every State south of the Potomac and the Ohio, together with Missouri, Arkansas, Louisiana, Texas and Oklahoma; secondly, New York, New Jersey and Connecticut; thirdly, if Governor John A. Johnson of Minnesota can be prevailed upon to accept the second place upon the Democratic ticket, we claim for it the States of Minnesota and North Dakota. A moment's computation will prove that the States which we have designated command a majority of the electoral votes.

MAYO W. HAZELTINE.

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DELAYS AND DEFECTS IN THE ENFORCEMENT OF LAW IN THIS COUNTRY.*

BY WILLIAM H. TAFT.

If one were to be asked in what respect we had fallen farthest short of ideal conditions in our whole Government, I think he would be justified in answering, in spite of the glaring defects in our system of municipal government, that it is in our failure to secure expedition and thoroughness in the enforcement of public and private rights in our courts. I do not mean to say that the judges of the courts are lacking in either honesty, industry or knowledge of the law, but I do mean to say that the machinery of which they are a part is so cumbersome and slow and expensive for the litigants—public and private—that the whole judicial branch of the Government fails in a marked way to accomplish certain of the purposes for which it was created.

Generally in every system of courts there are a court of first instance, an intermediate court of appeals and a court of last resort. The court of first instance and the intermediate appellate court should be for the purpose of finally disposing in a just and prompt way of all controversies between litigants. So far as the litigant is concerned, one appeal is all that he should be entitled to; the community at large is not interested in his having more; for the function of the court of last resort, usually called the Supreme Court, is not primarily for the purpose of securing a second review or appeal to the particular litigant whose case is carried to that court. It is true that the court can only act in concrete cases between the litigants, and so incidentally it does furnish another review to the litigants in every case where it entertains an appeal; but the chief reason for granting such

* Based on an address delivered before the Civic Forum, New York City, at Carnegie Hall, April 28, 1908.

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a review is to enable the Supreme Court to lay down general principles of law in the interpretation of State or Federal constitutions or statutes, or in the application of the common law, for the benefit and guidance, not of the particular litigant affected, but of the communities at large. Therefore, the appellate jurisdiction of the Supreme Court should generally be limited to those cases which are typical and which give an opportunity to the court to cover the whole field of the law upon the subject involved. The highest function of the Supreme Court of the United States is the interpretation of the Constitution of the United States, so as to guide the other branches of the Government and the people of the United States in their construction of the fundamental compact of the Union. Take it all in all, in the discharge of this function, the judicial department is the most novel, as it is in many respects the most important, branch of the Government. It is the background of the whole Government. In its power of ultimate decision as to the respective jurisdictions of the various departments of the National Government, as to the boundaries between State and national control and as to the guarantees of life, liberty and property to the individual, it is the balance-wheel of the governmental system. The Supreme Courts of the States exercise a similar, but of course a less important, function within their respective States. It is to be presumed that the Supreme Courts in the course of their decisions on general law will lay down with reasonable accuracy principles with sufficient clearness to enable the inferior courts to dispose of cases involving similar principles. The great body of the litigation involving particular controversies between individuals should be confined to the courts of first instance and the intermediate appellate courts, and one appeal is all that any litigant should be entitled to.

In the Supreme Courts of the United States and of the several States, business is disposed of with as great promptness as is consistent with the proper exercise of their important jurisdiction. It is in the courts of the first instance and in the intermediate appellate courts, however, that there is much more delay than is necessary. In the first place, the codes of procedure are much too elaborate. It is possible that they should be both simple and effective, as is shown by the present procedure in the English courts framed by rules of court. The code of the State of New

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York, however, is staggering in the number of its sections. A similar defect exists in some civil-law countries. The elaborate Spanish code of procedure that we found in the Philippines could be used by a dilatory defendant to keep the plaintiff stamping in the vestibule of justice until time had made justice impossible. Every additional technicality, every additional rule of procedure, adds to the expense of litigation; and it is inevitable that with an elaborate code the expense of a suit involving a small sum is in proportion far greater than that involving a large sum. Hence, it results that the cost of justice to the poor is always greater than it is to the rich, assuming, as we reasonably may, that the poor are more often interested in small cases and the rich in large ones.

Jury trials also add to the elaborate machinery necessary for the adjustment and decision of the rights of the litigants and they greatly increase the time and expense involved in the disposition of litigation.

Another reason for unreasonable delay in the lower courts is the disposition of judges to wait an undue length of time in the writing of their opinions or judgments. I speak with confidence on this point, for I have sinned myself. In English courts the ordinary practice is for the judge to deliver his opinion immediately upon the close of the argument, and this is the practice which ought to be enforced so far as possible in our courts of first instance. It is a great deal more important that the court of first instance should decide promptly than that it should decide right. The practice of deciding cases at the close of the hearing makes the judge very much more attentive to the oral argument of counsel and much more likely, on the whole, to decide right when the evidence and the arguments are fresh in his mind. In the Philippines the system had been adopted of refusing a judge his regular monthly stipend unless he can file a certificate, with the receipt for the money, in which he certifies on honor that he has disposed of all the business submitted to him within the previous sixty days. This has had a marvellously good effect in keeping the dockets of the court clear.

One of the great difficulties with the profession of the law is the disposition both of judges and of advocates to treat the litigants as made for the courts and the lawyers, and not the courts and lawyers as made for the litigants. And as it is lawyers who

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in Judiciary Committees of the legislatures draft the codes of procedure, it too frequently happens that the motive for simplifying the procedure and making the final disposition of cases as short as possible is not as strong as it should be. In the end such simplification would be greatly in the interest of the lawyers, for the present conditions of delay in the courts lead many people to arbitrate their case out of court or to yield to unjust claims rather than to expose themselves to the nervous strain and expensive burden of a long-drawn-out contest in court.

In my opinion the best method of securing expedition in the disposition of cases is to leave to the judges of the court the forming of the procedure by rules of court, imposing upon them the obligation to adopt rules making the course of litigation as speedy and as inexpensive as possible. I venture to think that the plan by which the justices of the peace who try smaller cases, and who are neither professional men nor apt in the disposition of business, is not a wise feature of the present system. The poor should have the benefit of as acute and able judges as the rich, and the money saved in the smaller salaries of the judges of the inferior courts is not an economy in the interest of the public. Such judges, after their reputations have become established, would lead the parties seeking their jurisdiction to dispense with juries and to submit their controversies for immediate decision. Under able, educated judges, who understand the purpose of the law in creating them, I am quite sure that courts of conciliation, for the purpose of settling small controversies without pleading, without lawyers and without appeals, could be made successful. They have been made successful in Germany, and I do not see that there is such a difference of conditions in this country as to prevent their being useful here.

It may be asserted as a general proposition, to which many legislatures seem to be oblivious, that everything which tends to prolong or delay litigation between individuals, or between individuals and corporations, is a great advantage for that litigant who has the longer purse. The wealthy defendant can almost always secure a compromise or a yielding of lawful rights on account of the necessities of the poor plaintiff. While such a condition in the administration of human law cannot be entirely eradicated, its injurious effect may be minimized by speeding

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the litigation and reducing the opportunities of either litigant to prolong it.

Many people who give the subject hasty consideration regard as the noblest product of human wisdom a system of appeals, by which a suit can be brought before a justice of the peace, and carried through the several intermediate courts of appeal to the Supreme Court of the State. How many legislative halls have rung with the eloquence of defenders of the oppressed and the poor, in opposing laws which were designed to limit the appeals to the Supreme Court to cases involving large sums of money or questions of constitutional or other important law! Shall the poor man be denied the opportunity to have his case re-examined in the highest tribunal of the land? Never! And generally the argument has been successful. In truth, there is nothing which is so detrimental to the interests of the poor man as the right which, if given to him, must also be given to the other and wealthier party. It means generally two, three and four, and in some cases even five and six years of litigation. Could any greater opportunity be put in the hands of wealthy persons or corporations to fight off just claims and to defeat, injure or modify the legal rights of poor litigants, than to delay them in securing their just due for several years? I think not. The fact is that procedure which limits the right of appeal works in the end for the benefit of the poor litigant and puts him more on an equality with a wealthy opponent. While it is probably true that the disposition of the litigation is more likely to be just when three tribunals have passed upon it, the injustice which meantime has been done by the delay to the party originally entitled to the judgment, generally exceeds the advantage that he has had in ultimately winning the case. So confirmed have we become in our views that delays are essential in litigation, that in the minds of many lawyers and other persons familiar with the courts the right of a litigant to delay before being called upon to respond in damages, or in other ways, to the just claim of another, is supposed to inhere either in the Constitution of the State or in the orderly administration of courts. To hasten a litigation to an end within six months against the protesting defendant who is mulcted and compelled to pay within that short period, is even characterized as "railroading."

There is no foundation in the attitude of the courts for the

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complaint that the courts are made for the rich and not for the poor; for the judges of this country are as free as possible from prejudice of that kind. But the inevitable effect of the delays I have referred to is to oppress and put at a disadvantage the poor litigant; and while I do not mean to say that it is possible, humanly speaking, to put the rich and the poor on an exact equality in regard to litigation, it certainly is possible to reduce greatly the disadvantages to the man of little means if the courts and legislatures would devote themselves to the elimination from the present system of those provisions which tend to prolong the time in which judicial controversies are disposed of.

When we come to the administration of criminal law and the assertion of public right, which have a more direct bearing upon the welfare of the whole people than the settlement of private rights, the injurious delays caused by the procedure provided by legislative act are greatly accentuated. No one can examine the statistics of crime in this country and consider the relatively small number of prosecutions which have been successful, without realizing that the administration of the criminal law is a disgrace to our civilization. Some of the causes for the lax administration of the criminal law may be found in the lenient, happy-go-lucky character of the American people, absorbed in their own affairs, and not fully realizing that this tremendous evil exists in the community.

In criminal cases the jury system is essential to secure the rights of the individual against possible abuses by the Government; but it necessarily causes delay. The grand-jury system enforced by the Federal Constitution, although not required in many of the States, is another cause of delay in bringing criminals to justice. Fully conceding the necessity of these constitutional restrictions as essential under our form of Government to the preservation of the liberty of the individual, we still find a large field in which the legislature, by formulating proper and expeditious criminal procedure, could avoid the discouraging and disgraceful delays that now exist, when the criminal has the means to employ acute lawyers who take advantage of every technical necessity presented by the rules obtaining in the trial of criminal causes. Every month of delay in bringing a person charged with crime to justice inures, in his ultimate trial, to his benefit. In order to resist the amiable tendency of human nature

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toward mercy and compassion for the unfortunate charged with crime, a jury must be strongly imbued with the right of the public to have crime punished, and the further backward into the past the facts upon which the prosecution is based are pursued, the less strongly does the jury feel its obligation to the public at large to restrain future crime by the punishment of offences committed in the distant past.

Again, the procedure provided by legislative enactment for the trial of the crime itself too frequently affords the opportunity to prolong the trial, and exaggerates into undue prominence circumstances having no direct bearing upon the innocence or guilt of the defendant, but calculated to divert the minds of the jury from the real issues, and ultimately to lead to a disagreement or to an acquittal of a really guilty man. Of course such a result could hardly be obtained except by the employment of skilled counsel of dramatic power, able to confuse the minds of the jury, to destroy their sense of proportion, and to make them reach conclusions as jurymen which as men in their own business they would repudiate as absurd. The creation of an atmosphere of fog and error and confusion is only possible under a system in which the power of the court to control its own proceedings and to guide the jury to some extent in the way in which it should go, is so limited by rules of judicial procedure laid down by legislative enactment that the judge becomes nothing but a moderator of the proceedings and helpless in the hands of an acute and eloquent counsel for the defence. The theory of legislatures in this country and, indeed, the popular view, seems to be that it somehow works for the benefit of the public that the power of the judge in the court-room should be greatly reduced and the power of the jury greatly magnified; and we discover the tendency to this view more and more as we go toward the western and the newer States. The fact is, however, that every expedient which weakens the power of the court and increases the power of the jury has an effect wholly different from that which is intended, and increases the advantage enjoyed by the wealthy when brought before the bar of a criminal court.

No legislature can legally take away from the jury in this country its power to do what it believes to be right under the instructions of law received from the court. The power of the court to comment on the evidence, to point out its strength or

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its weakness, can never take from the jury its authority to decide upon the facts. The restoration, therefore, of the procedure which obtained at the common law and which still obtains in England, in the courts of the United States and in some State courts, by which the verdict rendered is the result of the independent judgment of the jury guided both by instructions by the court as to the law and also by suggestions and comments as to the facts, could work no injustice to any person brought into court and would secure not only greater efficiency in the enforcement of the criminal law, but also much greater speed in the disposition of cases.

We have, as is well understood, certain constitutional restrictions as to the procedure in criminal cases which offer protection to the accused and present difficulties in the proof of his guilt. But these obtain as well in the English courts as in our own, and their existence does not offer a reason for the delays from which we suffer, for such delays do not exist in the administration of justice in England. A murder case which in this country is permitted to drag itself out for three weeks or a month, in England is disposed of in a day, two days, or at the most, three days—certainly in less than one-fifth the time. This is because the English judges insist upon expedition by counsel, cut short useless cross-examinations and confine the evidence to the nub of the case. They exercise the greater power which under the common-law rule has always been exercised by the court. Under such practice it would be possible for the prosecuting attorneys to clear their dockets; as it is now they are utterly unable to do so.

At the present time in our larger cities, a man who is indicted and has means with which to secure bail is released on bond, unless he is confined for murder in the first degree. The pressure upon the prosecuting officers is for the trial of those who are in jail and unable to give bail, and as a result of the delays I have mentioned jail cases are protracted and the trial of those who are released on bail is postponed oftentimes to the indefinite future, the evidence disappears, newer and more sensational cases come on, and ultimately nolles are entered and the indicted man escapes. This is one explanation why so many crimes go wholly unpunished.

Another cause of the inefficiency in the administration of the criminal law is the difficulty of securing jurors properly sen-

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sible of the duty which they are summoned to perform. In the extreme tenderness which the State legislatures exhibit toward persons accused as criminals, and especially as murderers, they allow peremptory challenges to the defendant far in excess of those allowed to the prosecution. In my own State of Ohio for a long time in capital cases the law allowed the prosecution two peremptory challenges and the defendant twenty-three. This very great discrimination between the two sides of the case enabled the defendant's counsel to eliminate from the panel every man of force and character, and to assemble a collection in the jury-box of nondescripts of no character who were amenable to every breeze of emotion, however maudlin or irrelevant to the issue.

I do not think that the members of the bar can escape the responsibility for the demoralizing tendencies to which I have referred. The perversions of justice in my own city of Cincinnati in 1884 led to the appointment of a committee of the bar to visit the legislature to urge it to rid our criminal code of procedure of those features which placed the prosecution at an unfair disadvantage in the trial of capital cases. The indignation of the public at some of the failures of justice in flagrant cases of crime had led to a riot and to the burning of our court-house, and the public finally became aroused to the serious defects in the law. I had the honor of being one of those who waited upon the Judiciary Committee of the Ohio Legislature and preferred the request that the twenty-three challenges allowed to the defendant be reduced to twelve, and that the State be allowed a similar number; but we found that there were upon that committee lawyers a substantial part of whose practice consisted in acting as counsel for defendants in criminal trials. When I protested that twenty-three challenges was an outrageous number, the chairman of the committee leaned back with the remark, "Many a time I would have given all my fee to have had twenty-four challenges for the defendant." I cite this instance because I believe that the unjust disposition to curtail the power of judges is due more or less to the intervention of some members of the bar whose practice is more or less beneficially affected, as they conceive, by obstacles thus created to the due course of justice.

Another reason for delays in the enforcement of criminal law is to be found in the right of repeated appeals which are given

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in criminal cases. The code of evidence with its complicated rules and numerous technical statutory limitations designed to favor the defendant, are all used as a trap to catch the trial court in error, however technical, upon which in appellate proceedings a reversal of the judgment of the court below may be obtained. The rule which generally obtains in this country is that any error, however slight, must lead to a reversal of the judgment, unless it can be shown affirmatively that it did not prejudice the defendant. The disposition on the part of the courts to think that every provision of every rule of the criminal law is one to be strictly construed in favor of the defendant, and even widened in its effect in the interest of the liberty of the citizen, has led courts of appeal to a degree of refinement in upholding technicalities in favor of defendants, and in reversing convictions, that renders one who has had practical knowledge of the trial of criminal cases most impatient.

In a case carried on error to the Supreme Court of the United States the point was raised for the first time in that court that the record did not show an arraignment of the defendant and a plea of not guilty; and on this ground the court, three judges dissenting, reversed the judgment. There was not a well-founded doubt of the fact that the defendant was arraigned and pleaded not guilty. The record itself raised a presumption that this was the fact; but the judgment was reversed, although there was not a pretence that the defendant had suffered any injury at the trial by reason of the alleged defect in the procedure. When a court of highest authority in this country thus interposes a bare technicality between a defendant and his just conviction, it may be pertinent to inquire whether some of the laxity in our administration of the criminal law may not be due to a proneness on the part of courts of last resort to reverse judgments of conviction for narrowly technical error. There ought to be introduced into the statutes of every State and of the United States in regard to appeals in criminal cases, and, indeed, in regard to appeals in civil cases, a provision that no judgment of a trial court should be reversed except for an error which the court after reading the entire record can affirmatively say would have led to a different verdict and judgment. This would do no injustice and would end reversals for technicalities.

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And, now, what has been the result of the lax administration of criminal law in this country? Criminal statistics are exceedingly difficult to obtain. The number of homicides, the number of lynchings and the number of executions one can note from the daily newspapers, but the number of indictments, trials, convictions, acquittals or mistrials it is hard to find. Since 1885 in the United States there have been 131,951 murders and homicides, and there have been 2,286 executions. In 1885 the number of murders was 1,808. In 1904 it had increased to 8,482. The number of executions in 1885 was 108. In 1904 it was 116. This increase in the number of murders and homicides as compared with the number of executions tells a startling story. As murder is on the increase, so are all offences of the felony class, and there can be no doubt that they will continue to increase unless the criminal laws are enforced with more certainty, more uniformity and more severity than they are at present.

The strongest force in our community is public opinion, and frequently the existence of evils in the community is due to the fact that it is not sufficiently directed to the evil in hand. The enormous discrepancy between the crimes which are committed and the crimes which are actually brought to trial is sufficient to show that public opinion is not alert enough, and is not directed against prosecuting officers and judicial officers with sufficient vigor to bring to trial every man guilty of an offence. In recent years, we have been engaged in the trial of wealthy men and corporations charged with violating the anti-trust laws and the anti-rebate laws, or laws against railway-rate discrimination. In these trials there has been brought home to the public the difficulty of securing the conviction of wealthy defendants who employ acute counsel to take advantage of all the technicalities and delays which the present criminal procedure makes possible. And it is quite possible that the escape of wealthy malefactors from just punishment will bring home to the people at large the conviction which ought to obtain, that by the tenderness toward the individual charged with crime manifested by legislatures and lawmakers during the last fifty years in this country, great injustice has been caused to the interests of the public and that the time has come to call a halt.

WILLIAM H. TAFT.

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"THE TRUTH ABOUT GERMAN EXPANSION."

BY ANGLO-AMERICAN.

BARON VON STERNBURG has made himself widely known as one of the ablest and most assiduous Ambassadors in the German service. Thanks to his tact and social adaptability and the many bonds of sympathetic interest that unite him to President Roosevelt in a personal camaraderie, the German Embassy to-day commands an influence and prestige at Washington such as even the British Embassy in Lord Pauncefote's day hardly surpassed. In five years Baron von Sternburg has succeeded in dissipating the cloud of distrust and animosity that settled over German-American relations after the Spanish war. He has been the means of establishing between the Kaiser and the President an intimacy as close and cordial as any that subsists between any two rulers to-day. His adroitness and popularity have secured for his countrymen some valuable commercial concessions. On more than one occasion, but especially during the Algeciras Conference, he has powerfully influenced American policy in Germany's interests. Whenever American opinion has seemed to him an asset worth cultivating, he has skilfully cultivated it. No Ambassador has been more prolific of interviews, statements and articles dexterously designed to impress American sentiment.

The latest, and, in my judgment, quite the boldest, of his Excellency's efforts to philo-Germanize the United States took the form of an article that appeared in the March number of this REVIEW under the title "The Truth About German Expansion." It was written to convince Americans that neither Holland nor Belgium nor Denmark nor the German-speaking part of Austria-Hungary has anything whatever to fear from the expansion of the German Empire, and that the United States may therefore dismiss all anxiety lest Curaçoa or Dutch Guiana or the Danish

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West Indies should one day pass under the German sceptre. The German Empire, so runs the argument, has been proved by the history of the past seven-and-thirty years to be an Empire of peace, and her subjects have no other desire than to mind their own business. Those who maintain that the economic pressure of a rapidly increasing population must eventually force Germany to expand in spite of herself are wholly wrong. Germany needs no colonies; she is quite content with the open door. It is to her "a matter of complete indifference" whether the Lower Rhine belongs to her or to Holland or to Belgium so long as the traffic on its waters remains, as at present, free from all duties or restrictions. So far, indeed, is Germany from desiring to annex the small states on her northwestern border that she does not even wish to enter with them into a union of economic interests. Such a union would subject German industries to the unrestricted competition of Belgian coal and iron and German agriculture to the free importation of Dutch cattle. Nor are there any political considerations that might make annexation desirable. The Netherlands have lost their old strategic importance and are never again likely to be the arena of a great European conflict. Their freedom and independence are no menace to Germany; she is sure of their neutrality in the event of war and that is all she requires. Again, the German Constitution is a far more complex and delicately adjusted instrument than most foreigners realize, and the enormous difficulty of incorporating new states into its framework is in itself a powerful obstacle to any scheme of annexation. Moreover, Baron von Sternburg believes that "the importance of the mental element in politics is habitually underestimated," and he is persuaded that the psychological community between Germany and the Netherlands and Belgium, and the recollection of their intimate and helpful association in the past, will not only, "in the absence of every legitimate reason, prevent these nations from imputing to each other enmity and ill-will, but will promote instead an eminently sane, mutual cordiality." The fear of annexation, he concludes with idiomatic raciness, is neither more nor less than a bugaboo.

Why, then, does the bugaboo persist? If everything is as stable and simple as Baron von Sternburg asserts, how account for the indisputable uneasiness with which the Belgians and the Dutch contemplate their future? His Excellency accounts for

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it quite easily. It is the handiwork of "political calumniators" in France and Great Britain. "A certain group of foreign political writers" has done it all. The point is recurred to and emphasized again and again. "I certainly do not believe that the fairy-tales of annexation originate in Belgium or Holland. Their sources are to be found elsewhere." If any of Germany's neighbors are apprehensive of her power or policy, it can only be because "some chauvinistic papers of Western Europe" have conspired "to undermine Germany's reputation." The fear of annexation "certainly does not emanate from Belgium or Holland, but from some place where persons, unacquainted with Germany and the Netherlands, blindly believe that the big German Empire simply must be possessed of an ambition to annex its two smaller neighbors." Baron von Sternburg admits the possibility that after the Franco-Prussian war and the unification of the German states, "some Hollanders and Belgians" may have been perturbed. But their anxieties, he thinks, soon crumbled away. "To-day the home of such apprehensions is neither Belgium nor Holland. Several years ago a group of writers, inspired by influential politicians of some Powers of Western Europe, started a virulent campaign for a Holland-Belgium Alliance, indicated to be the only means of saving these states from threatened annexation by the German Emperor. It is possible that such politicians promulgated these views in good faith, and believed themselves to be acting in the interests of their own countries, by holding up the German bugaboo to all the small states and frightening them into seeking the protection of their own altruistic and less dangerous friendship. At all events, the best refutation of the needlessness of this dread of annexation is the fact that the German bugaboo is not 'made in Holland or Belgium,' but is a strictly imported article."

In these passages the service which Ambassadors are popularly supposed to be sent abroad to render their country is fulfilled, as it seems to me, with an almost paralyzing completeness. I can only explain their inclusion in Baron von Sternburg's article by supposing that for the moment he forgot that the circulation of THE NORTH AMERICAN REVIEW was not confined to the United States.

I think myself that he overestimated American credulity when he imagined it would swallow the remarkable assertion

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that the fear of German expansion in Holland and Belgium was the work of foreign journalists. But the thing was clearly worth trying. If Baron von Sternburg had been able to report home that he had hypnotized the Americans into believing that "political calumniators" in France and England were the sole source of strife or mistrust between an unaggressive Germany and the smaller states resting in her shadow in confidence and security, the Kaiser and Prince von Bülow, besides appreciating the full exquisiteness of the jest, could hardly have failed to form an even higher opinion of the jester. But success in such an enterprise could only be attained on impossible conditions of secrecy and selection. His Excellency's one chance lay in breathing his revelation into American ears alone. He should have bought up the entire March issue of this REVIEW; he should personally have seen to it that it was distributed only in suitable quarters; above all, he should at any cost have prevented a single copy from reaching Europe, where the facts were known. With these precautions omitted the sequel was inevitable. When the cables flashed a *précis* of his article a smile began to creep across the face of Europe. When the full text could be studied in all its perfection, the smile broadened into an outburst of laughter and amazement at the sheer audacity of so huge a gamble upon American gullibility.

For the truth is, of course, that the apprehensions of the smaller states that border on the German Empire have their root partly in overt acts of German policy, partly in the contingencies that are likely to be provoked by any great European struggle, but chiefly in the writings and speeches of the Germans themselves. Baron von Sternburg holds forth as though he had never heard of the Pan-Germans, as though Professor von Halle had never written a line, as though Lamprecht, Lexis, Reismann-Grone, von Waltershausen, Anton and innumerable other propagandists were either Englishmen or non-existent, as though the Pan-Dutch League were fiction, and as though the project of bringing Holland and her colonies within the sphere of German control had not been from the first one of the leading items on the Pan-German programme. The Pan-Germans, it may be said, are not Germany. I am aware of that, just as I am aware of the coincidences that so often bring it about that Pan-German policies, officially repudiated at the outset, are officially adopted in

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the sequel. All Germans are Pan-Germans at heart. All cherish the sentiment that the ethnographic boundary of the German race may some day be the political boundary of the German Empire. It is a magnificent, a natural and, to my mind, a thoroughly laudable aspiration, one of those great ideals that keep the soul of a nation alive and hearten and amplify its temper with an element of poetic fervor. But between Pan-Germanism as a dream and Pan-Germanism as a policy the gulf is very great. The responsible statesmen of Germany, the "Real-Politiker," regard the propaganda of the Pan-Germans alternately as a folly, as a nuisance and as a convenient pioneer. They cannot approve a policy which, being advocated without reference to the concrete circumstances of the day, is at once nebulous and irritating. They cannot, on the other hand, wholly disavow a policy which sows the seed of a wider nationality, deepens and intensifies German patriotism and corresponds with the secret instincts of the people. That, however, is not the point. Baron von Sternburg has definitely asserted that the anxieties entertained in Holland, Belgium, Denmark and Austria-Hungary are the product of "some chauvinistic papers of Western Europe." I challenge that assertion. For every paragraph in this connection that his Excellency is able to produce from a French or English journal I will undertake to produce a hundred from the papers of his own countrymen. For every "Western European" article written for the purpose of arousing the fears of Germany's neighbors, I will show him a German book, and for every "Western European" book a German library.

The best statement of what may be called the Pan-German case against Holland—to confine ourselves for the moment to that country alone—is to be found in Professor von Halle's pamphlet, "*Volks-und-Seewirthschaft,*" published in 1902. Professor von Halle is no obscure Pan-German scribbler; I am not sure that he even calls himself a Pan-German at all. He is one of the ablest of the younger professors in Germany and threw himself heartily into the Emperor's campaign for a larger fleet. Unlike Baron von Sternburg, but not unlike almost all German publicists with whom I have discussed the subject, the professor is very far from thinking that the Dutch control of the Lower Rhine is "a matter of complete indifference" to Germany. He regards it, and I have every sympathy with him, as a "monstrosity"

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that the mouth of the Rhine, the German Tiber, should be in the hands of strangers. He believes it to be the cause of Germany's failure thus far to acquire that degree of naval strength and prestige which would secure respect for her wishes on the ocean. Canals have been built and preferential railway rates granted to divert traffic from Rotterdam. A small and weak people astride of Germany's busiest river is as vexatious an anomaly as though the mouth of the Mississippi were still in Spanish hands. Seeing that Holland is becoming increasingly dependent on her German neighbor, and "continues, as she has done for centuries, to draw her sustenance from the products of German labor," that she "participates in the advantages of German progress, but will not share its burdens," the professor finds it exceedingly objectionable that "a small coast people should be in a position to influence the traffic on the Lower Rhine and to take measures opposed to the interest of the Hinterland and to prevent the adoption of improvements, such as the deepening of the river and its connection with Antwerp." Passing from economic and commercial to political considerations, Professor von Halle discovers the necessity of union to be yet more clearly indicated. The German Empire must be able to erect its line of defence in a favorable position and to protect it. So long as Holland is at liberty to close the Rhine valley and obstruct traffic with Belgium, she must continue to be a thorn in Germany's side. "A Holland which is weak either on land or at sea is a constant danger for the most important industrial districts of Germany. Consequently, the question is how to revise the international treaties between the two countries, both from an economic and a military standpoint, in a manner more in accordance with the actual condition of affairs, and so bring Holland and Germany closer together. A naval convention and a customs and commercial union must be concluded between them." Above all, the professor warns Holland that without a military understanding with Germany it will be impossible to protect the Dutch possessions in the East and West Indies from the aggressiveness and "ruthless seizures" of Great Britain and the United States. Java and Curaçoa can only be saved from the fate that has overtaken the Philippines and Porto Rico by being brought under the protection of the German fleet. At the same time it is unquestionably Germany's interest to take timely measures for protect-

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ing her growing trade with the Dutch East Indies from the danger of being hindered or restricted with which she is now faced in the Philippines." In fact, when it is so obviously to the larger advantage of both countries to take counsel together, "lest Holland's fate be that of Spain," why, asks the professor, most persuasively, should a petty narrowness stand in the way? The union he contemplates would preserve to Holland her complete independence, but it would prevent her from pursuing that merely dynastic and particularist policy which in the long run is bound to be as harmful to herself as to her neighbor.

A whole literature has grown up in Germany during the past decade to foster arguments, threats and appeals such as these. The Dutch are plainly told that Germany must advance to her "natural" confines and that, while Holland remains detached, Germany is in the intolerable position of a man who is denied a key to his own front door. They are reminded that the more Germany develops her canal and railway system, the more the Dutch ports will lose their trade. They are warned that in time of war Germany could not be expected to regard the Dutch ports as neutral. The colonial peril is repeatedly insisted upon, and always with reference to the predatory ambitions of England and America. The ethnological, linguistic and spiritual affinity of the two peoples is emphasized with an almost tearful tenderness. The commercial dependence of Holland upon Germany is convincingly driven home, and the advantages of an economic union are dwelt upon with alluring iteration. Holland, it is argued, does not need Free Trade as a general policy. So long as she has Free Trade with Germany her permanent interests would be amply safeguarded and enhanced. Even supposing that a Zollverein would lead to an immediate increase in the price of food, Holland would be more than compensated by free access to the vast German market, by the abolition of the veterinary restrictions on the importation of live-stock into Germany, by the relief given to unemployment, by co-operation between the two Powers in the development of colonial communications, and by the institution of common systems of coinage, patent laws, fiscal policy, railway tariffs, harbor and river dredging and postal arrangements. Germany, on the other hand, would gain by an increased commerce with the Dutch colonies, by practically possessing the mouth of the Rhine, and extending her North Sea

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frontier, and by the stimulus that would assuredly be given to German shipping.

Such is a bare summary of the arguments with which the Germans have striven to win over the Dutch to the idea of economic amalgamation. And many of them are of unquestionable force and have, indeed, already borne tangible fruit. A beginning, that is to say, has been made towards effecting a postal union, and the German and Dutch Governments have co-operated in laying a joint cable to the Dutch West-Indian colonies. There are Dutch papers, too, that favor both a customs union and a military alliance with Germany, and the whole subject is one that is never far from the forefront of popular discussion. But the masses of the people remain resolute against any scheme that threatens to compromise their independence. They are not willing to give up Free Trade; they foresee that an economic union foreshadows an ultimate political subserviency to Germany; they intensely dislike the German militarist and bureaucratic spirit; they are far more conscious of the points of character, speech and manners that differentiate, than of those that tend to unite, the two peoples; and they cling with a hardy pride to the memories of the greatness of their past. But their position as a weak Power adjoining one of the most virile and aspiring nations in the world must always remain precarious; the tendency of events is towards an economic, if not a political, convergence; and a fiscal union of the two countries is, in my judgment, something more than a probability of the future. It will not, I think, come by force. I absolutely acquit Germany of any intention to impose her wishes upon Holland by conquest. The present Kaiser's policy towards his neighbors and kinsmen has been uniformly correct, and I see no reason why it should not remain so. But whether as the result of some great political upheaval, or in obedience to the pressure which Germany is both able and skilful to apply, or from a change of fiscal opinion in Holland itself and a clearer realization of the advantages of economic union, I think it, not perhaps inevitable, but exceedingly likely that eventually the commercial, naval and colonial policies of the two kingdoms will be regulated in common.

I have, however, somewhat digressed from my point, which was merely to prove the hollowness of Baron von Sternburg's assertion that Dutch apprehensions are artificially stimulated from

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abroad instead of being the natural reflex of German speeches, writings and deeds. And what, in this respect, holds good for Holland holds equally good for Denmark, Belgium and Austria-Hungary and to a lesser degree for Scandinavia and Switzerland. In all these countries the Pan-German idea is at work. In Scandinavia it takes the form of popularizing the notion of cultural, linguistic and ethnological kinship—not perhaps without an eye to a future German-Swedish alliance. In Denmark, where it encounters a formidable obstacle in the resentment aroused by the Germanizing policy in Schleswig, it is associated with the enormous importance of Denmark's benevolent neutrality in time of war. Denmark holds the keys of the Baltic and possesses also in the island of St. Thomas an invaluable naval base in the Caribbean. On both grounds she is an object of interest not only to the Pan-Germans, but to all Germany. In Belgium the propaganda is mainly directed towards emphasizing the community of race and tongue between the Low Germans and the Flemish peoples and towards fostering the anti-French spirit in the Flemish renaissance. In Switzerland also, which the Pan-Germans magnificently describe as "a German province," the appeal is rather to sentiment and to racial and literary affiliations than to hard political fact, though the project of a customs union is always in the air and may conceivably take visible shape. In Austria, on the other hand, where the German population numbers some ten millions, Pan-Germanism aims at nothing less than the absorption of the German-speaking districts of the realm of the Hapsburgs into that of the Hohenzollerns. I am not concerned to discuss the practicability of these grandiose schemes. But I wish to emphasize the fact once more that whatever trepidation they may cause is due, not as Baron von Sternburg wishes Americans to believe, to "political calumniators" in Western Europe, but to the activities of the Germans themselves.

It is not difficult to account for the disquietude of the smaller northern Powers that lie round the feet of the German Colossus. They see, to begin with, that Germany to-day commands a position for which dictatorship is scarcely too strong a word. Not since Napoleon has any ruler been in control of the actual and potential power that the Kaiser at this moment holds in his grasp. He is the head of the greatest and most scientific army in Europe, and perhaps in the world. His navy, though out-

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numbered by two other fleets, and though lacking the stimulus of maritime traditions, is an instrument of admirable potency, fashioned with the meticulous carefulness that thirty-seven years ago made Germany invincible on land. The state organization at his disposal is beyond comparison the most efficient and most intelligent in Europe. Nor is it only in administrative perfection and material resources that the Kaiser is strong. He is strong, too, in the character and qualities of the people over whom he rules, a virile, supremely capable nation, thrilled with the consciousness of being on the crest of the rising wave, and looking forward to the future with an almost defiant assurance of success. They are the Romans of the modern world. There is hardly a field in which, given a fair chance, they have not vanquished all competitors. Hardy, patient, exact and remorselessly persistent, their triumphs have been equally signal in science, in commerce, in diplomacy and in war. With all the qualities of success, they have succeeded; but not, they feel, to the full measure of their deserts. The accident of time has thwarted their development. They arrived late upon the scene of *Weltpolitik*. While they were forging the indispensable weapon of unity, their rivals were laying the foundations of vast empires overseas. When they had at last welded themselves into a self-conscious state, they discovered that the question of whether they could ever become a world-power in the old, easy way had already been decided against them. They have striven to found a transmarine empire, but the result of their endeavors is not satisfactory. They find themselves more and more driven back upon Europe and Asia Minor for outlets of expansion. They are at present an imprisoned empire, cut off from the full freedom of the Baltic and the North Sea, from the Mediterranean and from the Adriatic. The short and difficult coast line between Holland and Denmark forms virtually the sole effective channel for the commerce of this powerful and ambitious nation.

And the nations that in this way cramp Germany's development are in all cases weaker than herself. She is walled off by puny, insignificant states from everything she most vitally needs for the protection of her security and the full utilization of her strength. Ports, territory, opportunities, lie just beyond her boundaries—boundaries, remember, that are artificial, not permanent, drawn by diplomatists, not by nature—and their oc-

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cupation would provide for generations an adequate outlet for her surplus population, her maritime ambitions and her industrial enterprise. Apart, therefore, from the real or fancied claims of race, the temptation is a severe one. Nor is it made any easier to resist by the gradual change of Germany from a mainly agricultural to a mainly industrial state, by the rapid growth of her population, and by the increasing social pressure. Germany, reflect the small nations, wants room already; in a few years she may need it. The German Empire is the creation of the three interdependent processes of diplomacy, war and spoliation. Is there any reason for thinking that those processes are exhausted and that the era of German expansion is definitely closed? The plain compulsion of the facts necessarily keeps all the smaller kingdoms in a state of nervous apprehension. They are, it is true, protected by many international agreements of old standing, but they have lost faith in paper guarantees without acquiring the power to safeguard their independence by their own exertions. They feel themselves living under the shadow of a whole series of impending or possible conflicts, their part in which may be the part of Manchuria in the struggle between Russia and Japan. Both Holland and Belgium are fearful, and justly so, that a war between France and Germany would lead at once to a violation of their neutrality, and might even convert them into the battle-grounds of the struggle. Denmark is equally obsessed by the dread of becoming the cockpit of the "inevitable" Anglo-German clash; and there is not one of the northern states whose independence would not be jeopardized or permanently destroyed by a collision between any two of its powerful neighbors. Their anxieties, therefore, are many. Some of them, perhaps, may be alleviated by the negotiations that for the past few months have been in progress between Russia, Germany and Sweden in regard to the *status quo* in the Baltic, and by the further negotiations that, it is hoped, will lead to a declaration affirming the *status quo* in the North Sea. But it is from Germany, and from Germany alone, that their most harassing apprehensions proceed. They perceive an untiring propaganda at work directed against their economic or political independence; and they place little reliance in the trumpery constitutional obstacles which Baron von Sternburg appears to regard as well-nigh insuperable.

ANGLO-AMERICAN.

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THE DEVELOPMENT OF AMERICAN WATERWAYS.

BY FRANCIS G. NEWLANDS, UNITED STATES SENATOR.

THE Inland Waterways Commission was the outgrowth of a sentiment which has for some time been developing and a consequent agitation, particularly in the Mississippi Valley, demanding the improvement, connection and extension of our national waterways. Before yielding to the pressure brought upon him to make suggestions to the Congress on the subject, the President determined upon exhaustive investigation and appointed an executive commission for the purpose and recommend a plan. Into this commission he gathered men who, in either administrative or legislative work, had already acquired a large experience in the problems relating to the waterways of the country. That commission is now engaged in framing a preliminary report to the President and has not yet reached its final conclusions; so that I wish to state at the outset that whatever I may say on the subject is not to be accepted as the conclusion of the commission, but as expressing my individual view.

The duty imposed upon this commission was to study the use of our waters and investigate the entire subject, not only as pertaining directly to navigation, but for all other purposes as well, in order to recommend to the President a full and comprehensive plan for the development and utilization of all the natural resources of the country relating to water, with the primary purpose of facilitating water transportation.

Everywhere else in the world water transportation is an important factor in both foreign and domestic commerce. In Germany, where there is perhaps the best system of transportation in the world, the rivers have been artificialized from source to mouth and are supplemented by a system of canal, rail and ocean

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transportation which in regulated combination gives the country a machinery unequalled anywhere in the development of foreign and domestic commerce. It is evident to any one with ordinary information that our waterways must be utilized again, and to be utilized they must be properly artificialized, their beds must be made stable, their courses sure for the transportation of bulky merchandize. Even the great railway managers now acknowledge it and are urging the development of our waterways. This is a decided change since a few years ago, when a noted railway man is said to have declared that water competition could not exist in this country and that if he were given the money with which to build a double-track road beside the proposed enlarged Erie Canal, he would turn the canal into a lily-pond. The views of these men are changing because it has been so graphically demonstrated that they must either expend vast sums of money in improvements—money which in the present unsettled conditions of railways they cannot obtain—or else call in the aid of water transportation.

The movement to improve the waterways represents a policy, not a project. It is improbable that any particular river will be selected for development. There must be assurance that all rivers requiring improvement shall come into one comprehensive plan, involving, ultimately, the creation and highest development of all possible waterways that will materially aid our foreign and domestic commerce. The attention of the whole country has been arrested. I never knew the people to be more universally interested and better united. There is practically no difference of opinion as to the necessity of improving our inland waterways. The vital point at this juncture is to give effective direction to the aroused public sentiment, by making plain to all the true scope of the subject and the great importance of scientific legislation which shall carry out broad and comprehensive plans, without which the undertaking can never succeed. Congress rarely creates public opinion. It records public opinion. The real argument of the legislator who wishes to do something in a businesslike way, should go to the country, not to Congress. Congress seldom takes the initiative. It follows rather than leads public opinion. It is fortunate, therefore, that the agitation for a deep waterway from the Lakes to the Gulf has reached such proportions as to create a general demand from all parts of the

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country that a broad and comprehensive plan be inaugurated for the improvement of all navigable waters, and a call for legislation creating a fund for uninterrupted work and a fair apportionment between the different sections of the country under a businesslike administration.

It would have startled the country some time ago, perhaps, if it had been asserted that a hundred million dollars, annually, for the next five years, should be expended in this work. But it ought to be expended, in order to meet the requirements of transportation, and the public mind is becoming accustomed to it. We must also bear in mind that after it is expended the business of the railroads will not be injured. They will still have more than they can carry and their carriage will be better compensatory than the cheap and bulky products which now congest the systems. If then we add an ocean service to the railways and the canal and waterway systems, in harmonious co-operation under wise national legislation, we shall have a machinery which will accomplish marvellous results for the country. It can be done. It must be done. We shall have a system of navigable rivers, of coastal canals and sheltered waterways that will connect Maine with Texas and Texas with the Lakes; and all of these works, from the Atlantic to the Pacific, should be commenced and prosecuted contemporaneously, and pushed forward in a thoroughly businesslike manner and without unnecessary restrictions by a competent service, such as has given vitality and effectiveness to the work on the Panama Canal and in the Reclamation Service. With this end in view I am now urging upon Congress a bill for the establishment of such a commission and a working fund of fifty million dollars, to be renewed by the issue of bonds when it falls below twenty millions.

A comprehensive plan for the development of our waterways of necessity takes into consideration all of the related questions of forest preservation and restoration, of the irrigation of arid lands, of the reclamation of swamp lands, of bank protection, of clarification of streams and other kindred subjects, as well as of canal construction. It does not mean simply getting a dredging machine for the purpose of removing sandbars, and digging a channel. It involves the prevention of floods, when the rivers rush down in torrential streams, destroying property, and then, having wasted the water in the ocean, are attenuated till boats

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cannot float upon them. It involves the preservation of forests, because forests are the great conservators of moisture and aid in its gradual distribution to the rivers. It involves the question of irrigation of arid lands at the head waters of our inland rivers—the creation of great reservoirs, where the flood waters can be impounded and led over the plains for purposes of irrigation, to be gradually returned to the rivers when most required by them. Where it cannot be advantageous to irrigation the water can be kept impounded—as is now done in the upper Mississippi and in some foreign countries—to be let out at a time of low water in such a manner as to maintain navigation throughout the summer.

Forestry and irrigation are both essential to the prevention of floods and soil waste and to the maintenance of a stable channel for navigation, besides creating vast money values and great happiness and comfort in the development of immense forests and broad plains irrigated to almost unlimited productiveness. The artificializing of a river means that it shall be kept at a standard depth, to accommodate vessels of standard draft, just as there is a standard gauge for railroads.

Another item which, wholly aside from transportation, will prove of inestimable value, is the clarification of the rivers. Few realize as they ought how our continent is wasting through the drift of soil down the great rivers. The Mississippi has built another great delta at its mouth, like the delta on which the city of New Orleans stands, where alluvial soil is 1,200 feet deep. In time, the Gulf of Mexico will be turned into a continent by this process. Every grain of sand in a river is a tool of destruction. Clear water cuts the banks but little, but in the great rivers that pass through alluvial bottoms the banks dissolve like sugar when the force of the water loaded with particles of soil is directed against them. Then, when the waters become less turbulent and deposit the burden, it forms banks and bars, obstructing navigation. As the rivers are also a source of domestic water-supply for the cities and towns along the banks, the benefit of clarification through bank protection and the prevention of soil waste extends still further.

It also involves the reclamation of swamp lands, which means the addition of large and immensely fertile areas to the productive resources of the country. The reclamation of swamp lands as such is not one of the powers of Government granted by the

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Constitution, but the control of the river for purposes of navigation is, and for this purpose the redemption of vast swamps, along the lower reaches of the rivers, is as much a function of the Government as the irrigation of arid and semi-arid wastes at the source of the rivers. The channels fill up because where there are broad stretches of lowland, over which the river spreads, in high water, the river channel is lost in a network of bayous and swamps. When confined in comparatively narrow channels, by means of levees, the current is restrained and quickened and becomes an effective power in scouring instead of clogging the bottom, and in preserving the channel; so that we have inseparably connected with the question of navigation, the redemption of swamp lands and bank protection.

All of the advantages to be derived are so important that it is difficult to say which should be placed first. It is perfectly evident that for the proper development of our waterways we must embrace in one comprehensive plan the treatment of our forests, the irrigation of our arid lands, the reclamation of our swamp lands, bank protection and clarification of our rivers. In doing this other vast benefits will accrue; great water power will be developed and immense tracts of now unavailable soil will be made phenomenally productive. I will only suggest, here, the legitimate returns which the Government may justly receive, greatly reducing the original cost. It is estimated, for example, that with many of our large rivers the power which will be developed will be sufficient to pay the entire cost of improvement. We should not lose sight of these related advantages which will, eventually, very greatly reduce the original cost and make the enterprise efficient for other public good.

Of course there follows then the grave question: can our river commerce be revived; can we restore these waterways as a part of the efficient machinery of the country's transportation? Many doubt it, and I confess that when I went down the Mississippi, last summer, and travelled for miles without seeing a single boat, I was inclined to doubt it, too. The river towns were neglected. The wharves were rotting. The river fronts were largely occupied by the tracks of railroads whose trains, running at frequent intervals along the banks, showed how thoroughly they had absorbed the commerce. The terrific competition of the railroads, underbidding the water carriers during the season and raising the

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rates when navigation ceased and the neglect of the Government in maintaining navigable streams, brought about the present condition; but I believe that the people, the railroads and the Government realize the mistake and that it can be remedied. It will be necessary, however, that the railroads be brought into intimate relations with the river carriers, so that one system shall supplement and aid, not injure and obstruct, the other. I believe that the waterway ought to be largely supplemental to the railway system and that it will become necessary to it. The regulation of interstate commerce is one of the important functions of the Government and as the need of legislation increases better attention will be given to the whole subject.

The chief difficulty of the enterprise really lies in the great difference of opinion which is sure to exist at the start. The country is practically united as to the necessity for the undertaking, but the machinery for setting it in motion has not yet been carefully considered and already there is divided counsel. In the legislation inaugurated for the Panama Canal Service and the Reclamation Service, the Executive was wisely given a free hand and by the process of evolution a great administrative organization has been built up in each service and the work is conducted on thoroughly businesslike principles. I have endeavored to follow this beneficent legislation as well as that relating to Irrigation in the bill which I have recently introduced in the Senate, putting the whole responsibility for the development of the waterways upon the President, whoever he may be, sure that his highest pride will be to carry out successfully and economically the great work intrusted to him. To put the Executive in a legislative strait-jacket would surely result in inefficiency and failure. I believe that Congress has attended too much to administrative matters and the very reason of much of our inefficiency in our work upon our rivers and harbors has been that Congress has sought to control the administrative work and has done it badly. It always will do it badly.

The ways and means of execution is a far more serious question than the final result. The demand for national action in water transportation, when the work is ready for it, will lead to national action in rail transportation and finally to the creation of national corporations for all the great interstate transportation. It is time we realized that three-fourths of the transportation of

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the country is already interstate; that our railroads are being operated regardless of State lines; that the State legislations under which various sections are controlled are disjointed, illogical and illusive; that complexity, confusion and insecurity to investors and shippers is the result of the present system. We have not yet begun to think and act scientifically on this subject. We have allowed ourselves to drift, and the present system is but a makeshift and an accident. It is not a question, to-day, whether the railroads shall be nationalized, for they nationalized themselves long ago. It is only a question whether we shall allow lesser sovereigns to assume the function which the nation has neglected, of creating the nation's agents for the transportation of interstate and foreign commerce.

I know that the mere suggestion rouses the cry of Centralization! But would any one, to-day, advocate a process of decentralization? Would any one attempt to divide these systems up into the units of which they were once composed, each comprised within State lines? Certainly not. Then why not legalize them under proper restraints, and the waterways with them, under the direct control of the only sovereign capable of dealing with them? "Centralization"? I should say "Unionization." The exercise of the granted powers of the Constitution does not involve centralization of power. It involves simply the unionizing of the forces of the people of the entire country in matters clearly intrusted to the Government of the United States. The nation is not a separate entity, afar off. The States constitute the Union. They entered into it for certain beneficent purposes, one of the chief of which is the advancement of interstate and foreign commerce. It involves the absolute control of the great corporate carriers who ought to be the servants of the whole nation, and when this is accomplished there will be no difficulty in harmonizing the interests of railroads and waterways, reviving our river, canal and ocean transportation, perfecting an imperfect though the greatest railway system on earth, as well as promoting the highest development of our forestry, of irrigation, of swamp-land reclamation, of water power, of the clarification and proper banking of our rivers, and relieving the great and growing congestion of our present transportation facilities.

All this can and will be accomplished in the near future.

FRANCIS G. NEWLANDS.

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THE JUSTICE OF A FRIEND.*

BY W. D. HOWELLS.

THE third part of Sir George Otto Trevelyan's history of "The American Revolution" continues the narrative of our war for independence, but it does not show any change in the author's point of view. That seems to have been so advisedly and definitely taken at the beginning that it could not well be changed without some such change as permits a man to desert his country or his party and go over to the enemy. If the author now turned against the Americans in his study of men and events, it would be something like Mr. Chamberlain's abandoning Gladstone and the Cause of Ireland, or Benedict Arnold's betrayal of Washington's trust and the patriotic hopes which had rested upon him: that is to say, for a man of the author's make it would be impossible.

One may not forget the force with which Mr. Goldwin Smith had urged a like conviction that the revolting American colonies were fighting the battles of English liberty. But in Sir George Trevelyan's work there is greater breadth if not closer texture; a whole condition of things is pictorially restored, and we realize that whatever was generous and courageous in every English class was then one with us in feeling. A large minority of Englishmen, the wisest and the best Englishmen of the time, were outspokenly our friends, from first to last, and there is nothing of faith in our cause and love of it, expressed in this history, which was not as fully and boldly uttered by the contemporaneous champions of the colonies. If now and then we have to blush for Sir George Trevelyan's praise, as something past the general merit, we may remember that it was the praise of

* "The American Revolution." Part III. By Sir George Otto Trevelyan. Longmans, Green & Co.

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Chatham, of Burke, of Fox, of Walpole, and of other eminent statesmen and observers, who thought the colonies were right and the King was wrong. We may the more profitably take shame to ourselves in the presence of these friends whose words and deeds were in defiance of the base maxim, "Our country, right or wrong," and in behalf of the right whether it was of their country's side or not. We are yet far behind the English in their tolerance of the truth and their devotion to free speech. Even in the Spanish war when every man who hated it might have spoken his mind without the smallest hurt to the American arms, many who hated it when coming joined with the mob in crying down its opponents as traitors when it had come.

A lesson of impartial magnanimity is the best thing we can learn from the latest history of our Revolution, which we may read with increasing profit to the end. What is primarily characteristic of it is its thoroughly entertaining quality. Few historians know how to make battles interesting to the unembattled reader, and Sir George Trevelyan is one of the few: he can even make them intelligible; and he can enter into remote and alien conditions with a zest which the heir of those conditions cannot well refuse to share with him. The time covered by the present volume is that which stretches from the battle of Trenton to the battle of Germantown, and includes such events as the surrender of Burgoyne, the horrors of the winter at Valley Forge, the British occupation and evacuation of Philadelphia, the coming of Lafayette, De Kalb and Steuben, and the treaty of alliance with France. The hero of the tale is always Washington, but not a sentimentalized or even an idealized Washington. His limitations are distinctly recognized. The forms of this recognition, so finely yet firmly expressed, give us a portrait, self-evidently lifelike, of a great soldier who was a yet greater general, of a devoted patriot who had to deal with hostility almost as bitter among his compatriots as among his country's enemies, and who remains unique in history as having mainly fought a losing fight and won it. The subjective quality of Sir George Trevelyan's study of Washington is of such uncommon value that we might easily fail of justice to its objective truth. His Washington is a man who largely existed in his effect upon the friends and foes about him: upon Schuyler, upon Greene, upon Arnold, as well as upon Gates, and Lee, and the Congressional delegates

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doubting and hampering him. His long sufferance of the miseries of his men in the winter at Valley Forge is something visible and palpable, but his patience with the suspicion and inefficiency and insubordination which surrounded him is something that must chiefly remain to such a sympathetic imagination as has here made him a more intelligible figure than ever before. His nature, as this historian interprets it, was what we all knew it, large and simple; but within this largeness and simplicity the latest student of his character has divined the sensitiveness, the capacity for tacit suffering, and the fine sense of fine things which were as essentially a part of the man. He was thwarted by circumstance, but never finally defeated; he was disappointed in his friends, but he was not mistaken in his enemies; he had no prophetic forecast of events, but he had the strength and courage to meet them, and to turn them to the public advantage.

The traits of Schuyler are aptly caught, but next to that of Washington the study of Arnold will interest and move the reader. It is Arnold before his treason, while he was yet a self-devoted patriot, a soldier of unsurpassed skill and courage, and a man able to bear things as well as to do them. He bore a great deal, a great deal more than we have remembered, from the meddling and muddling administration which put inferior men over him and displaced him from commands which he had pre-eminently shown his right and power to hold. The part of his story told here is that which relates to his substitution in the defence against Burgoyne, by Gates, who was perhaps as brave, but who lacked Arnold's brilliant generalship and soldierly ardor, and who threw away the fruits of his victory in the terms of capitulation granted the English. Arnold chafed long under such treatment, and he might have patiently borne it to the end; but a fatal temptation was too strong for his vexed and angry spirit, and he became his own ruin and infamy.

It is a pathetic story, and it is intimated with a full consciousness of its implications. One of these is not unjustly the characterization of Arnold's accomplice, the hapless André, as rather a light man, less apparently the stuff of tragedy than of the comedy such as he played in the invention of the famous "Meschianza," the histrionic spectacle of British and Tory society in Philadelphia during the winter of the English occupation. Yet André proved equal to his fate, so that now no one thinks of the tawdry

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social event which he contrived, but only of the felon's death which Washington would have saved him from if he could.

It seems to me that above almost any other historian Sir George Trevelyan has the gift of contemporaneity. He enters not only into the nature of the people of whom he writes, but into the spirit of the time, as it varied from place to place and from person to person, keeping true to the eternal human throughout. He rehabilitates that forlorn yet heroic little remote American past, with no straining for the pseudo-picturesqueness which was once the desire of a happily obsolete school of historians. He writes of the Americans, ardently, yet impartially, as if they were so many Achaians, feeling all their great qualities, but not losing sight of their manifold meannesses, vanities, futilities and follies. Being alien in epoch and environment, he must realize us by imagining us, but he imagines us wonderfully well, if indeed an American of the present day may venture to be so confident of the true complexion of the America apparently extinct as to say so. He might have known those former Americans better by knowing, directly and at first hand, the actual Americans, but this is by no means certain. Such knowledge might have blurred rather than cleared his vision; and I cannot see what advantage any American historian could have of this Pro-American Englishman unless it were some American bred close to the facts of that anterior America which still so largely exists away from the "great centres" and the express trains connecting them.

It is too cheap and easy to say, as one is tempted to say, that the best part of his history are those brilliant final chapters relating to the powerful friends America made in Europe mainly in spite of American diplomacy. There were Franklin and Adams who availed, but the rest of our envoys were fifth wheels, if not worse, in our progress at European courts. The well-meaning inefficients are all amusingly sketched, but Franklin is done with the insight which can alone give value to portraiture. The portrait is possibly less vivid than that of Frederick of Prussia, but so was the man, and it must remain with the reader as of peculiar value in the centre of the grouped figures of Lafayette, of Choiseul, of Vergennes, of Beaumarchais, of Turgot, of that poor Louis XVI who always meant so much better than he ever did.

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That King's honorable scruple was against us rather than for us; he really thought it wrong to abet the rebellion of a brother prince's subjects; but he drifted helplessly and almost hopelessly into the American alliance; and the study of this drifting, with all the contemporary circumstance, is one of the most admirable pieces of the work which is valuable always for being so often highly artistic. Yet I return from these European passages to those which relate to our affairs on our own ground with an insistent sense of their greater merit. I think the reader, let him have read never so widely, will find them of a fresh and very enlightening charm. The word poorly indicates their full effect, but it has been tempting me from the beginning by its prime fitness for this most friendly, but never too friendly, historian's work. It is felt not only in his treatment of men, this man or that, but in his treatment of events, and of local and general character. I get from this history as I have got from no other the consciousness that the fighting blood in the Revolution came in a vastly prevalent current from New England: that New England which was so little understood then or afterwards that the showier and savager sections were supposed to be its superiors in soldiership. The Republicanism also mostly came from New England, the faith and the works of human equality, though the orators and statesmen of the South phrased those qualities better. From time to time our author turns a point of this fact to the light and casts a luminous gleam over the whole situation. It was the stuff of the Massachusetts commonalty and the Virginia patriciate out of which the Revolution fashioned itself and kept itself alive; but Virginia came to believe in slavery and Massachusetts always believed in liberty, and so the high thinking and the noble doing begins to this day in Massachusetts and not in Virginia.

I have no means of knowing how far Sir George Trevelyan has gone to original sources in his history, but I have a feeling that little of value would have been added to his work by the most anxious documentation. It is above all a critical history, and none the less critical because it flows from strong previous convictions to strong ultimate conclusions; for the fear of his own partiality puts an honest man on his guard. Where he finds us wrong our friendly annalist does not spare to say so; one could fancy his being a little eager to say so, as in the case

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of the administrational repudiation of Gates's conditions for Burgoyne's surrender, where Gates granted the Englishmen terms almost disastrous to the American cause, and Congress would not confirm them. But in our own war for the Union the Government at Washington refused to confirm the terms on which Sherman accepted the surrender of Johnston; and the like has happened before. It is not always the bad faith of Republics which eventuates so; after the War of 1812 the British Government kept for two years certain forts and posts in the West which it was stipulated should be at once surrendered to the Americans. Yet the historian is right in condemning the action of Congress: it was wrong, and a weak power especially ought not *to do wrong for the right; somehow a strong power may* less demoralizingly do wrong for the wrong.

I leave myself little room to say something I would like fully to say in praise of the admirable conspectus of situations which Sir George Trevelyan presents again and again, such as the winter at Valley Forge, the social gayeties at Philadelphia of the "Meschianza" time, the skirmishes, the marches and the councils of armies. The story of the Burgoyne invasion and the Burgoyne surrender embraces excellent pieces of art in this sort. As for the accounts of battles — their desultory and individual effects, their fluctuations and indefinite catastrophes—I could not go farther than to say that he might have imagined the art of doing them from Tolstoy and Stendhal; but this is going to the extreme.

W. D. Howells.

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A GOVERNMENTAL RAILROAD HOLDING COMPANY.

BY WILLIAM W. COOK, LL.D.

THE most striking feature of corporation law, during the past five years, has been the evidence of determination on the part of the American people to correct corporate abuses and control wealth accumulated through corporations. This determination, which has long been apparent to all trained observers, became unmistakable during the insurance investigation and scandals, and has reached the point of heavy fines and the conviction of corporate officials for criminal offences involving secret rebates to favored shippers. It is significant that nothing but the fear of imprisonment finally stopped these iniquitous violations of corporation law. It was corporation law applied with terrifying force to the illegal, disgraceful and criminal practices of great corporations.

All this has led not only to resentment against the offenders, but also to a popular fear that the growing wealth and power of corporations may jeopardize our republican form of government and the rights and liberties of the people. Thus far the crusade has accomplished some beneficent results. The "Railroad Rate Bill" of 1906, enacted by Congress, while drastic in its restrictions, has proved beneficial to the railroads, as well as to the public, and has not unduly increased the power of the national Government over the corporations; the prosecution of railroads and of individuals for giving and receiving secret and illegal rebates has effectually stopped that prolific source of unfair competition; the campaign against the so-called "Trusts" has resulted in a number of convictions which has discouraged illegal combination, restriction of output, increase of selling price, and persecution of competitors; the Supreme Court of the United

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States has decided that a corporation cannot refuse to submit its books and papers for examination at the suit of the State, even though they furnish proof of criminality on the part of the corporation, inasmuch as a corporation is a creature of the State, and the Legislature has an absolute right to investigate its contracts and learn whether it has exceeded its powers.* This goes far toward realizing that absolute control over corporations, upon which the American people are insisting. Such are some of the instances where the upheaval of public opinion against corporations has produced beneficial results.

There are three great forces in the United States which make up the industrial, political and social life of the nation. These are capital, labor and agriculture—a mixture of the first two. Labor is thoroughly organized in the cities, on the railroads, in factories and mines. The agricultural classes, highly intelligent, unorganized, widely scattered, are suspicious of both the corporations and the labor organizations. They and their close allies, the inhabitants of the small cities and towns, control the moral, intellectual, material and political life of the nation. It is a constituency still true to the New England ideal of preserving this country as the land of opportunity, of self-made men, of freedom from class distinctions and the power of wealth—the land where men of ability and honesty rise, irrespective of birth, wealth or family influence. Capital—in other words, the corporations (for they have virtually absorbed the capital of the country) will, for their own protection, have to unite with the agriculturists and give the latter the telephone, the trolley, good roads, rural delivery, the reclamation of waste land, the revision of the tariff, and educational opportunities, literary, technical and professional, even though all these involve great monetary sacrifices. Corporations will have to make farm life attractive and comfortable, if they desire conservative government to protect their property. England to-day is threatened with socialism because the agricultural classes do not control, being less than ten per cent. as against over thirty-five per cent. in the United States, so distributed that they do control. Farmers are not socialists.

At present the corporations and the agricultural classes in America are far apart. In the year 1907 the whole country seemed to have joined in a hue and cry against corporations.

* 201 U. S., 43.

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Railroad rates were reduced, although all other prices had advanced. Taxes were loaded upon corporations, although the general public had prospered until it had become wasteful and reckless. Commissions began to harry corporations, although extravagance, luxury and improvidence were rampant in every grade of society. New and strange theories floated out. The separate States were to be dismantled as to their most important powers, and the national Government was to dominate corporations. The Government was to acquire all the railroads of the country. Upon the death of a person all his wealth, in excess of a specified arbitrary amount, was to go to the state.

But not yet. The American people are not prepared to abandon their ancient moorings and embark on an unknown sea, without chart, compass, landmark or pilot. The fundamental principle of Anglo-Saxon life, that whatever a man honestly acquires is his own, is not to be swept aside to make way for the communistic idea that the state should seize all surplus wealth. What would the state do with it, and who would control the state? What a source of temptation, corruption, riot and revolution the prize of the control of such a state would be! The Roman Republic was practically a single city, small in wealth and population as compared with the modern world, and yet the turbulence of its last days has echoed down the centuries for well-nigh two thousand years. If history were to repeat itself in the American Republic with its coming two hundred millions of people, two hundred billions of wealth, a thousand cities, and a continent for its workings, the result would be chaos. There would then arise colossal demagogues like Cæsar and Napoleon, who established monarchies—for themselves—"to save society."

The historic mistake of the American people in giving to the ignorant a voting power over public *property* and public *expenditures,* especially in the South, cannot be repeated with safety in dealing with railroads. But the clash which has been going on for over fifty years between the railroads and the legislative and executive departments of the Government cannot continue indefinitely. Some solution is necessary.

During the past five years the national Government has travelled rapidly and far in the direction of control of railroads. On the plea that the States are derelict, it calls for Federal supervision, and would have every corporation engaged in interstate

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commerce obtain a license from a United States Commission, which should also pass upon all issues of stocks, bonds and notes. This is the sequel to an investigation of a great railroad company which disclosed the fact that a group of prominent officials had caused it to issue for their benefit a large amount of stock and bonds at low figures. At the same time the policy of another railroad system, in making enormous purchases of the stock of other railroads, brought clearly before the public the fact that a great railroad investment and speculative trust had come into existence and might destroy the existing competition between wide-spread railroad systems. All this added force to the argument that the authority of the Interstate Commerce Commission should include supervision of new issues of stock and bonds by interstate railroad companies, somewhat as provided for by the existing Massachusetts law on that subject. Here is a wide departure from old ideas of State rights and limitation of Federal power. However, the claim is that it has been demonstrated, both as a matter of fact and as a question of law, that single States cannot regulate, control or successfully grapple with interstate railroads, and that, therefore, the national Government must assert its authority even if this leads in the end to Government ownership. But the safety of the public lies in separating the legislative and executive departments of the Government from the corporations, and not in merging them. Our forefathers learned this lesson. Nearly a hundred years ago they experienced the evil results of corporations being thrown in contact with the Legislature. Franchises were granted or blackmailed and corporations bought and protected franchises until the situation grew so intolerable that the powers of the Legislature were restricted, first, by constitutional prohibitions against Legislatures granting special charters or franchises; and, second, by delegating to commissions the regulation of corporations. A great source of political corruption was removed by the enactment of those reforms, and we ought not to take any backward steps. It cannot be denied, however, that the present policy of Government regulation and supervision of railroads is tending toward governmental control and ownership. This prospect, of course, delights the socialists—those naïve optimists who disregard the lesson of Europe's governmental railroads—but it is less attractive to practical men. Such, however, is the existing situation.

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The next move will certainly involve a grave responsibility and possibly commit us to a policy involving the future of the Republic, for it is to be borne in mind that a republican form of government is not imperishable. Sir Henry Maine, a powerful and profound thinker and writer, in his work on "Popular Government,"* has well said, "It is characterized by great fragility" and "of all the forms of government, Democracy is by far the most difficult"; and that the democratic form of popular government "will tax to the utmost all the political sagacity and statesmanship of the world to keep it from misfortune." The question, "Shall the nation own the railroads or the railroads own the country?" is already being asked by serious-minded men, and the issue is likely to be fought out on some such line in default of a sane practical solution of the difficulty.

Even now the railroads are being drawn into politics; political parties are vying with each other in attacks on railroads; conditions are unsettled and menacing, and it is high time that some rational plan be devised to meet the popular demand without destroying values or subjecting our democratic Government to a greater strain than it could, perhaps, withstand.

A radical solution of the whole problem would be a holding company, organized gradually to acquire the stock of all the railroads in the country. Such a holding company, chartered by Congress (a District of Columbia corporation), could be moulded to solve many of the political and economic problems involved. The stock could be issued gradually in exchange for or purchase of railroad stocks, at valuations to be approved by the Interstate Commerce Commission in each instance and from time to time, just as is now done in Massachusetts by a Corporation Commission. The board of directors could include the Interstate Commerce Commission, and the remainder, constituting a majority, having been carefully selected in the beginning, would thereafter become practically self-perpetuating by the board recommending to the stockholders for election new men to fill vacancies in the board. The charter could likewise give the Interstate Commerce Commission the right to vote the railroad stocks purchased by the holding company.

Now, let us see how this would work in practice. The statistician of the Interstate Commerce Commission estimates that

* Pp. 20, 87, and Preface, p. x.

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the railroad stocks in the hands of the public amount to about $4,800,000,000.* If a holding company owned all of this stock, it would have a capitalization of about four billion, eight hundred millions of dollars, which would mean forty-eight million shares of the par value of one hundred dollars each. If these were owned by one million American people, owning forty-eight shares each, the railroads would practically be owned not by the Government, but by a power higher than the Government, namely, the American people.

An illustration will show the workings of such a governmental holding company. Suppose 1,260,000 shares are sold to the public for cash at par. That would produce $126,000,000—not an extravagant sum in comparison with the sums raised by single railroad systems. With that amount could be purchased:

100,000	shares	New York Central R. R.	costing	$10,200,000
100,000	"	Penn. R. R. (full shares)..	"	11,900,000
100,000	"	N. Y., N. H. & H. R. R.....	"	13,700,000
100,000	"	Illinois Central R. R.....	"	13,600,000
100,000	"	C. & N. W. R. R.....	"	15,200,000
100,000	"	C. M. & St. Paul R. R.....	"	13,100,000
100,000	"	Great Northern R. R.....	"	12,800,000
100,000	"	Northern Pacific R. R.....	"	13,300,000
100,000	"	Union Pacific R. R.....	"	13,800,000
100,000	"	Atchison, T. & S. Fe R. R..	"	8,400,000
				$126,000,000

The income from these stocks, at the present dividend rates, would be $6,900,000 per annum. The expenses of the holding company, judging from the expenses of The Mackay Companies, a similar holding company for telegraph and cable stocks, should not exceed $25,000 per annum, being the expense of transfer offices, registrars and the engraving of the certificates of stock. That would leave five and a half per cent. on the holding companies' stock,—an attractive rate in view of the safeguards thrown around the management and investments.

The Interstate Commerce Commission would vote the railroad stocks. They would have a large vote in each company. They would also have the right to receive and vote proxies for other stockholders. When it is remembered that nearly every great railroad system in the country is controlled, not by a few men,

* Intercorporate Relationships of Railways in the United States as of June 30th, 1906, page 9.

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but by a multitudinous body of small stockholders,* it is apparent that it might be easy for the Interstate Commerce Commission to control any railroad by means of proxies. If that commission had had the vote of a large block of stock in the Illinois Central Railroad Company last year, and had been willing to receive proxies from other stockholders, who would be in control of that railroad system to-day? Even though great financial interests should obtain control of the holding company, no harm could come, because they could not vote or sell or encumber the railroad stocks, the charter having provided against that.

Surely it were better that a million intelligent and conservative American investors should own and control all the railroads, through such a holding company, than that the Government, with its vacillating and at times incompetent and dishonest administration, should own and mismanage this vital element of national prosperity. When one considers the waste of the present system and realizes that all saving from consolidations would mean lower rates and better service, under the rigorous, drastic and relentless regulation by Railroad Commissions—and no one will deny that the present commissions are rigorous, drastic and relentless,—it would seem better that the stockholders in American railroads should have stock in one holding company controlling all the railroads, than that they should have stock in several hundred different companies as at present, with wasteful competition, duplication of trains, offices, agents, stations, staff and an army of competing employees. The investor would have a more stable investment; the railroads would be able to get money for necessary extensions and improvements and retain the services of the strong, experienced, competent officials who now operate them, instead of intrusting the practical management to politicians, as would be the case if the Government assumed the business; the Interstate Commerce Commission would vote the railroad stocks; the ruinous competition of competing railroads would disappear; the clashing of private interests, together with the din of public clamor, would cease, and the American people could pass on to some other subject less dangerous to the public weal. That would be the effect of such a holding company as is mentioned above.

* One of the leading American railroad systems has now 78,000 stockholders, and it is estimated that there are over half a million stockholders represented in American railroads.

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Later on, if the Government should guarantee three-per-cent. dividends (any amounts so paid to be repaid to the Government with interest out of subsequent surplus profits), leaving the company free to declare such higher dividends as it could earn, the value of the stock would rise, and the higher its value the greater quantity of railroad companies' stocks could be obtained in exchange or for cash realized from the issue of the holding company stock, thus reducing the cost of acquisition, just as New York City, by using its credit in the construction of the underground railways in that city, reduced by probably one-half the outstanding obligations to pay for construction. Such a guaranteed stock would be equal to English consols or French *rentes*, and might be owned by banks and trust companies, and used as a basis for the currency on a par with United States bonds, and would be a stable investment for the savings of the poor, the accumulations of the investor and the wealth of the rich. If the American people ever concluded that the Government should own the railroads, the Government could acquire a majority of the stock, the same as the English Government acquired the stock of the Suez Canal. In fact, the charter might reserve that right to the Government, just as the Act of Congress of July 24th, 1866, reserves to the Government the right to take over the telegraph lines at an appraisal.

The three objections to a railroad stock-holding company are eliminated by this plan, namely, the danger that the railroad stocks would be purchased by the holding company at unfair prices or for personal purposes; the danger that the railroad stocks so held would be voted for selfish ends; and the danger that competition between railroads would be destroyed, to the detriment of the public. This fetish of insisting upon competition between railroads is perhaps the most serious obstacle to a realization of the suggested plan. The American people are opposed to the consolidation of competing railroads. But if the Government were to own all the railroads, competition necessarily would disappear. So also, if the Government had the voting of the stocks of the competing railroads, there no longer would be occasion for competition. If the Interstate Commerce Commission had had the voting of the railroad stocks owned by the Northern Securities Company, there would have been no attack on that company, because the Interstate Commerce Commission would have voted

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those stocks in the public interest, the same as they would administer the railroads themselves, if the Government owned the railroads. State prohibitions against the consolidation of competing railroads would quickly disappear before such a dispensation.

There is also a still broader view of this question of future competition between railroads. In England, for more than thirty years, Parliament legislated against the consolidation of railroads. This legislation proved to be utterly futile, and in 1872 a Parliamentary Committee made an elaborate and exhaustive report on the subject, and said, among other things, that consolidation "had not brought with it the evils that were anticipated, but that, in any event, long and varied experience had fully demonstrated the fact that, while Parliament might hinder and thwart it, it could not prevent it." The committee showed that at that time the North Eastern Railway Company was a consolidation of thirty-seven independent companies, some of which had formerly competed, and that before the consolidation they had as a rule charged higher rates and paid smaller dividends, but that in 1872 it was the most complete monopoly in England, and while charging the lowest rates had paid the highest dividends of all the great English combinations. Again, as recently as December, 1907, the Great Northern Railway Company and the Great Central Railway Company, which for many years had been keen competitors for the railway traffic, in a large part of the north of England, entered into a combination by which competition was eliminated. That combination is to be ratified by the stockholders and approved by Parliament, and is a recognition of the fact that the public is better served and more cheaply served by a closely scrutinized combination than by ruinous competition.

Even now the opposition of the American people to the consolidation of competing railroads is largely futile. We may delay it, but we cannot prevent it, and we will find that ultimately the laws of trade are stronger than the laws of men. We will find also that a vast consolidated railroad system is more easily controlled than a hundred small ones, and that with railroad power there will come railroad responsibility, responsive to the public will. The special report of the Interstate Commerce Commission of July, 1907,* demonstrates that such amalgamations are even

* In the Matter of Consolidations and Combinations of Carriers, Relations Between Such Carriers, and Community of Interests Therein, Their Rates, Facilities and Practices. XII Interstate Commerce Reports, 277.

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now going on with great rapidity in the United States. Some seventy-five years ago George Stevenson, the originator of the railroad locomotive, truly said that "where combination is possible, competition is impossible."

Even though the Interstate Commerce Commission voted a majority of the stock of a railroad company and thereby elected its board of directors this would be vastly different from Government ownership. The officers, general manager, superintendent and employees would be paid by the railroad company and not by the Government. The power to employ and discharge would be in the railroad company and not in the Government. The evils of bureaucracy would not be present. If the Government owned the railroads, Congress and the Executive would be very active in the patronage and power of railroads, but under the above plan Congress and the Executive would have nothing whatsoever to do with it. The board of directors of the railroad company would be made up of men representative of the locality of the railroad itself, as well as of the financial and operating departments of the railroad. The only connection between the Government and the railroads would be through that *quasi* judicial body, the Interstate Commerce Commission, and even that connection would be indirect, remote and free from the objections incident to government ownership.

Railroad men estimate that one billion dollars should be expended by the railroads each year for the next five years to provide additional facilities necessitated by the growth of the country in population and production. The railroads have found it impossible to sell their securities to obtain such a vast amount of money. If, however, the control of the railroads were vested in the Interstate Commerce Commission, as outlined above, there should be no difficulty in the railroads obtaining from the sale of their securities all the money they need.

The practicability of a holding company to control all the railroads of the country is strikingly illustrated by the facts set forth in a very recent publication. In April, 1908, Henry C. Adams, statistician of the Interstate Commerce Commission, in a carefully prepared report, explained railroad holding companies as they now exist. It is an extraordinary showing. The interweaving of railroad interests has led to a vast labyrinth of railroad holding companies, some of them being railroad corporations,

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and other holding corporations, pure and simple, the object always being the power of control. Mr. Adams in his report says:*

"These holdings are all minority holdings, and in a strict legal sense do not give control. Yet, because of the wide distribution of majority ownership, the stock being in many cases held for investment in small lots by individuals, and because the proxies of such holders are frequently signed as a matter of form and without any investigation, these minority holdings in concentrated form virtually dominate the situation and dictate the policy of the corporations whose securities are thus held."

If the railroads have found the holding company efficient and proper to use to control other railroads, why is not a holding company equally efficient and proper for the people to use to control all the railroads? The corporation has been developed and utilized to own, control and operate all the railroads in the country. The time has come when it may be further utilized to nationalize the railroads, without destroying private ownership or the advantages of private ownership.

A holding company, such as is outlined above, could gradually acquire control of all the railroads in the country. States could not raid it, and courts could not destroy it, under anti-trust statutes. It would nationalize railroads without political agitation, without condemnation and without costing the national Government a dollar. If such a nationalization of railroads should take place, State Legislatures and State railroad commissions would lose a large part of their present occupation. It would be giving large power to the Interstate Commerce Commission, and might at times cause that commission to use that power for political or personal ends. But even so, the public would always be watchful on account of its daily contact with railroad service, and there would be fewer abuses than under the present system. Power, moreover, leads to responsibility, and responsibility leads to conservatism, and if the Interstate Commerce Commission had the power of voting railroad stocks throughout the United States, public sentiment would insist that the personnel of the commission should represent the finest judgment and honor of the country.

Probably every railroad man in the United States would be in favor of such a holding company as this, *provided the Inter-*

* Intercorporate Relationships of Railways in the United States as of June 30th, 1906, page 37.

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state Commerce Commission were not given the power to vote the railroad stocks.

The starting of this plan does not involve any risk, or irrevocable step, or large amount of money. Such a company, if found undesirable in any way, could be dissolved and the securities distributed without loss. A very similar plan, covering cable, telegraph and telephone stocks, has worked smoothly, economically and successfully, and there seems to be no reason why it should not work equally well with railroad stocks. This possible solution of the railroad problem would seem to justify the experiment on a small scale at least. If the American people would be content with the present private ownership of railroads, the same as in England, that would be the better way, but if Government ownership becomes imminent, or if the present conflict is to continue, then some other solution should be sought.

The above plan is not socialism; it is not governmental ownership; it is not even governmental control by the executive or legislative branches of the Government. It is private ownership, regulated by the Interstate Commerce Commission, protected by the judiciary, and is absolutely practical.

WILLIAM W. COOK.

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THE COLLAPSE OF THE MOVEMENT AGAINST THE LORDS.

BY EDWARD PORRITT

THE movement against the House of Lords arising out of its mutilation of the Education bill of 1906 has collapsed. Mr. A. P. DuCross, the successful Conservative candidate at the by-election at Hastings on the 3rd of March last, in surveying at the close of the contest the political issues on which it had been fought, asserted that there had scarcely been a mention of the agitation against the House of Lords; and a week later the Lords again threw out the Scotch Small Holdings bill, a Government measure, which has now been twice passed by the House of Commons. The agitation against the Lords begun in 1906 was exceedingly short-lived, and was never even as formidable as the abortive and short-lived movement against the Lords in 1893, due to their rejection of Gladstone's second Home Rule bill. The agitation of fifteen years ago did at least produce some memorable fighting speeches against the Lords from Gladstone and Harcourt.

It is not necessary to be in England to understand why this latest assault on the House of Lords has so completely collapsed. One of the manifest reasons for its failure is the bill over which the House of Commons and the House of Lords came into collision; and a still more obvious reason is the new attitude of the working classes who take an active interest in politics towards official Liberalism and its relations with the House of Lords, particularly as concerns the part of official Liberalism in the creation of peers.

The Marquis of Lansdowne is the floor-manager of the Opposition in the House of Lords. The position of floor-manager must be held by a peer. Only a peer can have access to the floor;

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and access to the floor is necessary for giving orders and for the marshalling of the Opposition forces. But the real leader of the Opposition in the House of Lords as well as in the House of Commons is Mr. Balfour, who is a much more practical politician than the titular leader of the Conservative Opposition in the House of Lords. It is now accepted that it was on Mr. Balfour's instructions that the majority in the House of Lords permitted the Trades Disputes bill of 1906—a bill that Lord Halsbury, the ex-Lord Chancellor, denounced as gross, outrageous and tyrannical—to go forward for the royal assent, and in the same session so pulverized the Education bill that the Campbell-Bannerman Government had no option but to abandon it.

Mr. Balfour, as a practical politician, knew that the rejection of the Trades Disputes bill would immediately have provoked greater popular hostility to the House of Lords than any action which the Lords have taken since they threatened the Reform Act of 1884. But even the Lords themselves—or at any rate the small minority of them who pretend to any continuous and intelligent interest in public affairs—must have known that there would be no Hyde Park or Trafalgar Square demonstrations if the Education bill were destroyed. There could be no real enthusiasm for it, because as it went from the Commons to the Lords the measure embodied too many concessions to the Established Church and to the Church of Rome in England.

There were tens of thousands of Free Churchmen, all supporters of the Liberal Government, who were displeased at these concessions, and who pretended no disappointment or regret when the Government abandoned Mr. Birrell's measure. It was not the bill they had expected from a Liberal Government new from a General Election which had given the Liberals the greatest majority in Parliamentary history; and they saw in it no complete removal of religious disabilities and civic inequalities which date back to the thirties of the nineteenth century, when the House of Commons began to vote money for elementary education.

Neither Sir Henry Campbell-Bannerman nor Mr. Birrell, who was then Minister of Education, can have expected that Free Churchmen would work themselves into a fury against the House of Lords for its action on the Education bill of 1906. Free Churchmen were not sufficiently enamored of the bill to disturb

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themselves over its fate; and if middle-class Free Churchmen were not aroused there was even less reason to expect that working-class England would be provoked to demonstrate against the House of Lords as it did in 1832 and 1884.

The laboring population of England, urban and rural, which must be really aroused if there is to be an effective demonstration against the House of Lords, cares little for education in the abstract. At least three generations of the artisan and laboring classes have gone through the public elementary schools over which all the political and sectarian turmoil of the last thirty-eight years has arisen. But few of these people concern themselves about education after they leave school at the age of twelve or thirteen years.

Elementary education in England has always been administered from above. In rural England it has been dominated by the Church of England clergy. In urban England, even in those cities where there were school boards, the members of the boards were of the middle class—men and women who did not send their own children to the schools under the boards. For over seventy years education questions—especially the questions arising in connection with the elementary schools and the part of the churches in their control and management—have been almost exclusively of what may be described as middle-class politics.

Education to-day—especially in the phases which come before Parliament—is as essentially middle-class politics as was the reform of the civil service half a century ago. The working-classes in the years when Graham, Gladstone and Stafford Northcote were reforming the civil service, and throwing it open to general competition, had little interest in the question, because few of them had any expectation of entering the civil service. It is much the same to-day with the working-classes as regards the long and vexed controversy over the primary schools between the Established Church and the Roman Catholic Church on the one hand, and the Free Churches on the other. Even the working men and women who attend the churches take no keen interest in the controversy.

Conflicts between the House of Commons and the House of Lords date only from 1831. The first in which there was any wide-spread popular interest came at that time. There could be none before then, because for a century and a half before

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1831 the peers had always had it in their power to elect three-fifths of the members of the House of Commons. It was over the partial loss of this power that the first uprising against the House of Lords occurred; and the only popular uprisings against Bourbon Toryism and the House of Lords since then were in 1866 and 1884-85 when the power of the Lords and of the territorial aristocracy generally over the election of the House of Commons was further curtailed by the second and third Reform Acts. Not much of the power of the peers over the election of the House of Commons was transferred to the working-classes by the first Reform bill. What transference of electoral power there was in 1832 was to the middle-classes; but the conditions of the working-classes for twenty or thirty years before 1832—economic and social—had been desperate. These conditions were worse than at any previous time in English history; and in 1831-32 it took comparatively little agitation to arouse the working-classes to a wild fury against the Bourbon tactics of the House of Lords, and to bring the country within measurable distance of revolution.

The working-classes were aroused again in 1866 and in 1884-85, because if the Reform Acts of these years had been sidetracked by the Lords privileges which were valued would have been withheld—in the first case from the working-classes in the large towns, and in the second instance from the laboring population of rural England. Every laboring-man in England, even if he does not use his Parliamentary vote, knows that the possession of a vote adds at least to his social consequence.

The non-political among the working-men—those who rarely give a thought to politics except for a few days before a contested Parliamentary election—have not been in the least aroused by the action of the House of Lords over Mr. Birrell's Education bill. These men have not even cared to trouble themselves to understand the beneficent changes it would have made. They were not concerned about the fact that it would have brought all elementary schools under the control of popularly elected local authorities, and swept away the religious disabilities which for seventy years have hedged about the school-teaching profession. There have consequently been no protests or demonstrations from them, such as there were from people of their class on the two great occasions in the nineteenth century when the Commons

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were at issue with the Lords over questions which really touched all ranks of the people.

A distinction has been drawn between political and non-political working-men. Such a distinction is necessary if the present democratic movement in England is to be understood, and if one important reason for the failure of the official Liberal movement against the House of Lords is to be appreciated. There never was a time when the political working-classes in England were more active or more in earnest than they are to-day. But this activity differs in some essential particulars from the activity of the working-classes in politics at any time since the Chartist agitation in the middle years of last century. All the democratic movement in England to-day—all the movement that since January, 1906, has resulted in the election of thirty-one independent labor members to the House of Commons—has working-class leaders and working-class political aims.

At no time in English history have the working-classes been more active in Parliamentary politics than during the last three or four years. They have gained three additional seats since the General Election of 1906; and no working-class movement, since the Chartist agitation collapsed, has caused more uneasiness to the two old-line political parties—the Liberals and Conservatives—than the movement in and out of Parliament now led by Mr. Arthur Henderson, M.P., who in February last succeeded Mr. Kier Hardie, M.P., as chairman of the new Labor group in Parliament. In the House of Commons and in the constituencies these labor politicians hold themselves quite apart from the official Liberals; and one of the most obvious reasons for the collapse of the Liberal movement against the House of Lords was the aloofness from the movement of these labor members and the electors in the constituencies who support them.

These labor politicians, both in and out of Parliament, are hostile to the House of Lords; but ever since the Campbell-Bannerman Government came into power they have distrusted the sincerity of the official Liberal movement against the Lords; and this distrust is manifestly shared by thousands of the rank and file of the Liberal party in the constituencies who hold aloof from the new labor movement in politics.

Every new Liberal Government in England suffers to some extent from the distribution of honors, offices and patronage.

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Of patronage, in the ordinary sense of the term, a Government in England has comparatively little to distribute; for there are few civil-service appointments that are available as rewards for partisan service. But it is within the power of the Government to recommend men to the Sovereign for knighthoods, baronetcies, and peerages; to appoint prominent local men as unpaid magistrates; and there are hundreds of livings in the Church, as well as appointments to bishoprics and deaneries and canonries, which are in the bestowal of the Crown—in other words, in the gift of the Government.

The bestowal of this ecclesiastical patronage has brought its usual share of dissatisfaction with the Government. There has been more than usual discontent over the appointments of magistrates; but the greatest loss of prestige to the Government has been caused by the bestowal of honors—baronetcies and peerages—especially peerages. The shower of peerages, quite as much as the character of the bill over which the Lords and Commons came into collision, accounts for the weakness of the official Liberal movement against the Lords. It partly explains why there was no popular enthusiasm behind the movement—not a single Hyde Park demonstration, nor a great mass-meeting anywhere in provincial England, which is usually quicker to move in agitations of the kind than London; and why the labor politicians in and out of Parliament, and old-line Radicals who at the General Election voted for official Liberal candidates, permitted the Liberal onslaught on the House of Lords over the Education bill to fizzle.

From the time it was seen that the Campbell-Bannerman Government had such an enormous majority in the House of Commons, it was realized that there must be conflicts with the House of Lords if the Government were to implement its election pledges, and attempt to catch up with the arrears of Liberal legislation that had accumulated since the Home Rule split in the Liberal party in 1886. It was known that the House of Lords had assumed new importance since its rejection of Gladstone's Home Rule bill of 1893, and that with a Liberal Government in power, the Conservative majority there would assert itself with more daring than at any time since the Lords and Commons began to come into conflict in 1831.

At no time have the rank and file of the Radicals any sympathy

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with the creation of peers. The Parliamentary handbooks show that in the long run almost every creation of peers, whether by Liberal or Conservative Governments, adds to the permanent strength of the Conservative party in the House of Lords. Between 1831 and the end of the nineteenth century, two hundred and fifteen peerages were created by Whig and Liberal Governments; yet, in spite of these additions to the House of Lords of men who were of the Whig or Liberal party at the time of their elevation, there were only forty-one Liberal peers when the Campbell-Bannerman Government came into office in November, 1905.

Liberals and Radicals who are not of the official Liberal group in the House of Commons, or closely associated with it in the constituencies, object, moreover, to creations of peers by a Liberal Government, because each creation means an addition to a privileged order; and because, even granting that this order should be maintained, they hold that a man should have rendered great and signal service to the State before he is made a peer and the right to a seat in the House of Lords becomes hereditary in his family. They object to creations of peers also because of the effect that frequent additions to the peerage have on the land system.

Every man of wealth on whom a baronetcy or peerage is bestowed—and only rich men can reach out for these honors—is anxious to secure a territorial background. Men of newly acquired wealth who are travelling the well-trodden routes to a baronetcy or a peerage are usually some years in reaching their goal. A baronetcy is often a half-way house to a peerage. It has almost invariably been so with men who have made enormous fortunes in trade —bankers, financiers, brewers, coal-owners, chemical manufacturers, ship-owners, and ironmasters—who have bought their way into the ranks of the aristocracy.

The most common method of securing a peerage adopted by these men is to obtain a seat in the House of Commons; vote steadily with their party; and to finance a party newspaper or contribute largely to the central campaign funds of their party. These methods patiently followed seldom fail to bring their reward. A wealthy man who starts on one of these routes to the peerage is pretty sure of his prize if he can keep up the pace; and from the time he starts out on his journey he is on the lookout for landed property that shall serve as the territorial back-

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ground of the titled family that he is anxious to establish. Estated possessions are necessary if there is to be any permanency for his family. When he goes into the estate-market he is not concerned about the economic value of the land he acquires. It is its social value that appeals to him. He needs it for a background; and the more of it he can acquire and entail, the better will be the position of his family, after the coveted peerage has been obtained, and his family is of the aristocracy hall-marked by the Sovereign.

Every estate acquired with this end in view adds to the already enormous area of England held in few hands, and increases the difficulties which bar ordinary Englishmen from access to the land—from holding land except as tenants whose rents are often based on an inflated purchase price. A man may represent a Liberal constituency in the House of Commons while he is working his way to the peerage. But his Liberalism is seldom robust; and while a peer who owes his elevation to a Liberal Government may act with the Liberals, the chances are nine to one that, when he is succeeded in the peerage by his son, the Conservatives in the House of Lords will gain a recruit, as will also Conservatism in the county in which the territorial background of the new aristocratic family is situated. New strength is in this way constantly accruing to the political party that looks at all land legislation—English, Scotch or Irish—exclusively from the point of view of the great landowners, and regards an inroad on the existing feudal system, no matter how necessary it may be to the welfare of the nation, as an assault on its order.

This is the point of view from which unofficial Liberalism regards the creation of peerages—whether by Conservative or Liberal Governments. They are disliked because they strengthen a privileged order and continue an archaic feudalism; because they ultimately mean an increase in the strength of the Conservatives; and because of their effect on the land economy of England.

Finally, there is the objection that peerages for men who have merely travelled the campaign-fund and newspaper routes are nothing but bribes—mere survivals from the days when the right to elect men to the House of Commons was sold as openly as landed or any other property; survivals that should never have been permitted to outlast the drastic Corrupt Practices Act of

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1883 by which bribery of voters at Parliamentary elections was at last wiped out.

At ordinary times, this is the way in which the rank and file of the Liberal party regards these new peerages. The return of the Campbell-Bannerman Government in 1906 was, however, not an ordinary occasion. It was the greatest democratic u[illegible]ng in the history of the House of Commons; and the rank and file of the Liberal party would have liked the new Government to assume an attitude towards the House of Lords in keeping with the popular movement which had given it such a tremendous majority in the House of Commons. Aware of the inevitable conflicts between the House of Commons and the House of Lords, they would have welcomed an announcement from the Government that it would recommend the creation of no new peerages.

No such announcement was forthcoming. The Government began paying its campaign debts in the old way before it had been a month in office—even before the General Election. It has continued the payments ever since. From December, 1905, when the Liberal Government came into office, until the end of November, 1907, there were created twenty peers, nineteen privy councillors, thirty-three baronets and ninety-five knights; and of the men so honored, thirty-seven were supporters of the Government in the House of Commons. In the period between November, 1903, and November, 1905, during which Mr. Balfour was in power, thirteen peers were created. The peers created by the Liberal Government outnumbered those created by the Conservatives by seven, and were equal to one-third of the number created by Charles II between the Restoration and his death in 1685. Most of the new Liberal peers had no claim to distinction beyond the fact that they had travelled either the campaign-fund or the newspaper route; while several of them were so unknown that people not within the circle of official Liberalism searched in vain for a reason to justify their being made hereditary legislators.

EDWARD PORRITT.

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THE NATURE OF AN ASTRONOMER'S WORK.

BY W. W. CAMPBELL, DIRECTOR OF THE LICK OBSERVATORY, UNIVERSITY OF CALIFORNIA.

For nine years it was my duty and pleasure to show the Saturday-night visitors to the Lick Observatory through the great telescope. Their number varied from none on a few of winter's impossible nights up to a maximum of four hundred and thirty. They came from every civilized country, and all trades and professions were represented. They were mainly of those who go about with eyes and minds open. Views through the telescope, descriptions of the instruments and explanations of celestial photographs received their eager attention.

I was greatly interested in observing human nature under these favorable conditions. My experience with the thirty or forty thousand visitors led me to the conclusions, confirmed again and again, first, that, while interest in astronomical subjects is latent and could easily be aroused in a large proportion of the people, yet the simplest facts of the science, open to frequent observation by everybody, are known to comparatively few; and, secondly, that the nature of an astronomer's work is seldom understood.

At a conservative estimate, the majority of the people are unaware that the stars rise in the east, seem to move across the sky, and set in the west, just as the sun and moon do; or that the summer and winter constellations are different. Very few can explain why the form of the moon changes from crescent to full, and from full back to crescent, or can say wherein the planets differ from the stars. There are regiments of young men, fresh from school and college, who, knowing amperes, ohms and volts, can tell you all about the lights in your house, but not one word about the lights in the sky.

The opinion prevails quite generally that an astronomer's duty

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consists in sitting all night with his eye at the end of the telescope, "sweeping the heavens," in order to discover new bodies—comets, planets, moons and new stars; and that this is the end and aim of the science. This view is far from the truth. While we in no way discourage the search for new and unknown objects, and, in fact, hail their discovery with delight, we may say that relatively few professional astronomers are thus occupied. The great observatories, with their expensive equipments, cannot afford to engage extensively in such uncertain labor. They leave this work to the small observatories and to the private astronomers, or else they make it a very subsidiary matter. Thus the Lick Observatory, in discovering twenty-seven comets, has devoted certainly less than the one-hundredth part of its resources to that pursuit. The majority of the unexpected comets are, in fact, found by private astronomers, whose four-inch or five-inch telescopes are abundantly powerful for the purpose. The expected returns of periodic comets, on the contrary, are generally detected by professional astronomers. Their mathematical computations tell them when and where to look.

New stars (stars which suddenly appear at points in the sky where none were visible before) and variable stars (those whose brightness varies) are, in the majority of cases, discovered at Harvard College Observatory, for the most part not by direct search, but as the indirect results, or by-products, of an extensive study of the spectra of the stars for another purpose. A few are detected at private and small observatories. Only occasional ones are found at other large observatories, and these are usually detected by chance or by very indirect methods.

It matters little if new stars—comets, satellites, nebulæ or variable stars—are simply "discovered." That is only the beginning of our interest. There are a hundred million bright stars to be seen in the thirty-six-inch telescope whenever we care to look for them. Of what value is it merely to know that one more star has appeared?

Up to the year 1898 some ten thousand nebulæ had been discovered at the various observatories, and their positions and descriptions are published in a catalogue of nebulæ.* The photographs

* The nebulæ are faint, cloudlike forms, some of which are masses of glowing gases, from which stars, planets and their moons will eventually be evolved.

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of widely distributed regions of the sky, taken in part by the late Director Keeler, with the Crossley Reflector of the Lick Observatory, and continued by Professor Perrine, indicate that the number not yet discovered, but easily discoverable with this instrument, is in excess of 400,000. These can be found whenever we care to undertake the work. The new ones already discovered, by means of plates taken in the past eight years for other purposes, number nearly a thousand.

The value of the discovery of such objects is not in the discoveries themselves; it is in the opportunity thereby presented for the *thorough study* of those objects. If they are simply discovered and not investigated, the science of astronomy is advanced comparatively little. It is as if Euclid had learned that there is a science of the circle and the sphere, but had not investigated its laws. It is as if the chemist had discovered that there is an element called oxygen, but had not proceeded to determine its properties; or as if Copernicus had been content, like his neighbors, with noting the existence of the principal heavenly bodies, and had not investigated their motions. There certainly have been no more marked cases of successful comet-seeking than those of Barnard and Perrine during the few years when they gave a small fraction of their time, on Mount Hamilton, to this pursuit; but the highest astronomical prizes of the Paris Academy of Sciences were bestowed upon them not so much for their discoveries, as for the opportunities thereby afforded for the further efficient study of cometary bodies, in which the discoverers themselves played leading parts.

I fear that the foregoing references to newly discovered bodies have conveyed the impression that our attention is largely devoted to them. This view is erroneous, and I hasten to correct it. We do not overlook the old and well-known bodies, about which we still have much to learn. These familiar objects, illustrating the general principles of the science, and representing world-life in essentially all its stages of development, deserve and receive the major part of our efforts. Generally less than ten per cent. of astronomical effort is devoted to the search for and study of new objects. It is not practicable to explain in full the nature of the astronomer's investigations, but a few illustrations will be given in general outline.

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For three centuries following Copernicus astronomical study was devoted almost exclusively to the solar system,—to the sun, planets and satellites composing this system: their forms and dimensions; their orbital motions and motions of rotation; and the relations of the different members of the system to one another. This work has been brought to a high degree of perfection, in part by astronomers yet living. It would be misleading to say that these problems are completely solved. For example, minute discrepancies in the motions of our moon, of Mercury and of other members of the system remain unexplained, and from time to time added refinements may be expected for all parts of the system. However, it is now possible to predict, with remarkable accuracy, the positions to be occupied by our rapidly moving planets and their satellites for centuries in the future.

In 1898, Witt, of Berlin, discovered an asteroid,—one of the group of small planets in our solar system whose orbits lie between those of Mars and Jupiter. He named it "Eros." It was the 433rd asteroid to be discovered, and the announcement created no comment. However, it was soon found that its orbit was smaller than those of the other asteroids, and that Eros would come much closer to the earth than any other planet. At the times when the earth and Eros are most favorably situated, the distance between them is only 13,500,000 miles. This is about one-third the minimum distance of any other known asteroid. This unexpected fact, of little importance in itself, was epoch-making as a means to an end. It happens that the degree of accuracy with which we can at present measure the distance of the earth from the sun, some 93,000,000 miles (the principal astronomical unit of distance), depends upon the closeness of an asteroid's approach to us. By observations of Eros, we should, therefore, obtain a threefold more accurate knowledge of the distance of the earth from the sun than we now possess. When the asteriod was comparatively close to the earth, in 1900-1, some thirty observatories throughout the world co-operated in securing a very accurate and extensive series of observations for this purpose. The measurement of the hundreds of photographic plates of Eros and the stars in that part of the sky, the computations connected therewith, and the determination of the resulting value of the sun's distance from us, will require the labor of at least thirty skilled men during five years or more. This case illus-

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trates unusually well the fact that the discovery of an unknown body is valuable substantially in proportion to the opportunity thereby afforded for making useful extensions to our knowledge. Simply to know that there is a planet Eros, travelling in a certain orbit, has little more value than as a satisfaction to human curiosity. But to take scientific advantage of the discovery of Eros is to improve our knowledge of all celestial distances; or, in other words, to determine with greater accuracy the scale on which the universe is constructed.

Within the past half-century improvements in instruments and methods have enabled us to pass from the problems of our own little system to those of the incomparably more remote and extensive stellar system, and the present tendency of astronomy is strongly in the latter direction.

I wish it were possible to give here an idea of the valuable and extensive investigations which have been made with meridian instruments — instruments which measure the positions of the stars on the celestial sphere as they cross the meridian. At least one-half the energies of astronomers in the past one hundred and fifty years have been devoted to making and reducing meridian observations. These have given us our star catalogues, containing the extremely accurate positions of one hundred thousand stars, and the approximate positions of a million more. The data contained in these catalogues are the foundation upon which the entire superstructure of mathematical astronomy is built. These collections of star-positions, acquired at the cost of great skill, patience and toil, are perhaps the richest of astronomy's possessions. And their values increase constantly with time; for, as the stars are slowly changing their apparent positions on the celestial sphere, and as their rates and directions of motion are determined by comparing their present-day positions with their former ones, it follows that the earlier accurate observations have values directly proportional to their age.

Unfortunately these catalogue positions tell us only the direction in which a star lies and nothing at all as to its distance. The component of motion at right angles to the line of sight is expressed in angular measure, and cannot be converted into linear motion,—miles per second, for example,—until the star's distance becomes known. We have approximate knowledge of the distances of only a few dozen stars. Our present means are ap-

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parently inadequate to measure the distances, even roughly, of more than a few hundred stars; but half a dozen astronomers are struggling with the problem, and it is hoped that appreciable improvement in methods will result. At no other point in the science is accurate knowledge more keenly needed.

The two foregoing paragraphs refer only to that component of a star's motion which is at right angles to the line joining the star and observer. Now, every star has at the same time a component of motion toward or away from the observer, of which the meridian instrument has taken and can take no account. Fortunately the spectroscope is able to measure this component, and eight leading observatories have each a department engaged in observing the brighter stars with a great telescope and spectrograph (an instrument for photographing spectra), in order to determine their motions of approach and recession.

Given the component of motion at right angles to the line of sight as determined by meridian and parallax observers, and the component parallel to the line of sight supplied by the spectrograph, we could readily ascertain the actual motion of the star *with reference to the observer*. However, this would be in itself of little value in a study of the stellar system as a whole, unless we have means of eliminating the effects of the observer's motion, since the observed motion is not the star's motion with reference to the stellar system, but it is a compound of its motion and that of the observer.

Astronomers have known for a century that our solar system as a whole is travelling toward the constellation Lyra or Hercules and away from the opposite part of the sky, but an uncertainty of at least ten degrees exists as to the exact direction. Until recently little has been known as to the speed of our motion, the estimates of different astronomers varying from five to thirty miles per second. In order to obtain a satisfactory solution of this problem, if possible, the great Lick Telescope, with the Mills Spectrograph attached to it, has been used three nights per week for the past ten years to secure the photographic observations needed, and the work will be continued several years more. The labor required to measure and reduce the photographs is three or four fold that involved in securing the plates. Observations of the stars visible only in the Southern Hemisphere are also required before the solution can be made satisfactory, and

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a branch observatory, located on a mountain-top in the north-eastern suburbs of Santiago, Chile, is getting these observations, thanks to the generosity of Mr. D. O. Mills.

If we would learn the nature of the stars, whether they are solid, liquid or gaseous, whether they are new or comparatively old, whether their temperatures are high or relatively low, we should begin by making a study of our own star—our sun. It is the only star near enough to present a disk, and therefore to let us study it in some detail. All other stars remain as points of light even when the powerful telescopes magnify them three-thousandfold. There are observatories established for the sole purpose of investigating the sun, and many astronomers are constantly employed in studying the structure of all its visible portions, the laws followed by the heat and light radiated from all parts of its surface, and the conditions indicated by the spectrum of each part. It is not too much to say that our physical knowledge of the stars would to-day be almost a blank if we had been unable to approach them through the study of our sun. Several of the most interesting portions of our sun are invisible, except at times of solar eclipse. Our knowledge of the sun will be incomplete until these portions are thoroughly understood; and this is the reason why eclipse expeditions are despatched, at great expense of time and money, to occupy stations within the narrow shadow belts in whatever corners of the earth these events occur.

A score of other departments of our science call for systematic work, according to programmes equally extensive. For example, there are the nebulæ, — their forms, their temperatures, their spectra, their motions, their relations to the stars already existing, and the principles in accordance with which they themselves will in long ages condense and form other stars.

Double stars constitute a large department. The recent work of Professors Aitken and Hussey, of the Lick Observatory, has shown that, on the average, one star in eighteen is attended by a bright companion sun, visible through powerful telescopes, but not at all to the unassisted eye. Observations with the Mills Spectrograph of the Lick Observatory, the Bruce Spectrograph of the Yerkes Observatory, and other similar instruments, have established that at least one star in six is attended by massive close companions, invisible in the most powerful telescopes. All these systems, both visible and invisible, call for investigation.

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There are the variable stars, those thus far discovered numbering more than two thousand. Why are they brighter at one time than at another? The causes in nineteen cases out of twenty are unknown, and the determination of these causes constitutes a great problem. Half a dozen small observatories, extending around the world near the parallel of thirty-nine degrees north latitude, are engaged exclusively in studying the variation of terrestrial latitudes; for it has been shown that the position of the earth's equator and, therefore, our distance from the equator (our latitude) changes back and forth through a range of sixty feet. A few large observatories are devoting decades to the accurate measurement of the brightness of the stars.

The resources of a dozen observatories are devoted to the photographic charting of the heavens, each photograph requiring accurate measurement and computation—an enormous piece of work, demanding twenty years or more for its completion. A better realization of the magnitude of the labor involved will be gained, perhaps, by calculating that a dozen observatories for twenty years, *on one problem,* is equivalent to one observatory's time and effort for two hundred and forty years!

There are the comets, which excite great public and scientific interest, not only because they are extremely interesting objects, but because they come close to us, and since they come and go, they must be studied while here. How and where did they originate? What is their composition? What conditions prevail in them? In other words, what is a comet, and what is its relation to other celestial objects?

Not to illustrate further, it should be said that these lines of work, as well as the far greater number of unmentioned ones, all bear upon the solution of the two great problems which at present compose the science of astronomy. These problems, perhaps the most profound in the realm of matter, may be stated thus:

First, a determination of the structure of the sidereal universe; of the form of that portion of limitless space occupied by our stellar system; of the general arrangement of the sidereal units in space, and their geometrical relations to one another; and of their motions in accordance with the laws of gravitation;

Second, a determination of what the nebulæ, stars, planets, satellites, comets and other members of the universe really are:

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what are their chemical constitutions; their physical conditions and relations to one another; what has been the history of their development, in accordance with the principles of sidereal evolution; and what has the future in store for them, and for the system as a whole.

Observatories supply accurate time signals wherever telegraph and cable extend. These signals are regulated by observations of stars whose positions have been previously determined by meridian instruments. Many modern boundary lines between nations are located by means of observations of stars whose exact positions in the sky are defined in the star catalogues. The ship's captain ascertains his latitude and longitude, and therefore the course of his vessel, by observations of the sun, moon and stars, whose positions are prepared for him in advance by astronomers, as a result of their extensive observations and extremely laborious calculations.

That the main results of the astronomer's work are not so immediately practical does not detract from their value. They are, I venture to think, the more to be prized on that account. Astronomy has profoundly influenced the thought of the race. In fact, it has been the keystone in the arch of the sciences under which we have marched out from the darkness of the fifteenth and preceding centuries to the comparative light of to-day.

Who can estimate the value to civilization of the Copernican system of the sun and planets? A round earth, an earth not the centre of the universe, an earth obeying law, an earth developed by processes of evolution covering tens of millions of years, is incomparably grander than the earth which ante-Copernican imagination pictured.

It is of priceless value to the human race to know that the sun will supply the needs of the earth, as to light and heat, for millions of years; that the stars are not lanterns hung out at night, but are suns like our own; and that numbers of them probably have planets revolving around them, perhaps in many cases with inhabitants adapted to the conditions existing there. In a sentence, the main purpose of the science is to learn the truth about the stellar universe; to increase human knowledge concerning our surroundings, and to widen the limits of intellectual life.

W. W. CAMPBELL.

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THE NEW IRELAND.—IV.

BY SYDNEY BROOKS.

UNQUESTIONABLY, within the last fifteen years the Irish mind has shown a most hopeful inclination towards the concrete and the constructive. There is a far wider realization to-day than there ever was, or could be, before, that the upbuilding of the Irish nation depends less on the passing or the repeal of laws at Westminster, or on external assistance of any kind, than on the efforts of Irishmen in Ireland; and that those efforts, to produce their best results, must be non-political and non-sectarian. Thus we have seen the agricultural co-operative movement, initiated by Sir Horace Plunkett, spread until it now embraces 90,000 farmers and has organized over 900 co-operative creameries, poultry societies, village banks, and so on. We have seen the Recess Committee, composed of men of all ranks and religions and politics, formulating a programme of material amelioration. We have seen the fruit of that programme in the Department of Agriculture and Technical Instruction, a Department popularly governed, working with and through committees appointed by the County Councils, and for the first time bringing expert assistance and advice within reach of the peasant proprietors. We have seen the establishment of the Congested Districts Board for the resettlement of the Western peasantry on an economic basis, and for the revival and encouragement of the Western fishing and cottage industries. We have seen the building of light railways. We have seen the famous round-table conference of landlords and tenants that brought the century-old struggle for the land within sight of a decisive and more or less harmonious finish. We have seen the strong beginnings of a movement of industrial recreation. Indeed, it is safe to say that the last decade and a half has witnessed the

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growth of more interest among Irishmen in the practical problems of life; and more co-operation among them in the solution of those problems, than any previous period of Irish history. New spheres of non-contentious endeavor have been opened up in which all Irishmen may participate.

It is a natural assumption that this new and pervasive absorption in practicalities must have done something to blunt the edge of politics, and to give to business considerations a higher place in Irish regard than they have hitherto occupied. The assumption seems all the more natural when one remembers that Ireland is slowly but definitely emerging from the more acute stage of agrarian unrest, that the Land Question is on its way to settlement, is losing its old class bitterness and, above all, is ceasing to provide the motive power for political agitation. Irish Nationalism has always appeared before the world as a struggle for self-government. I am not at all sure that it would not be better described as a movement to beat rents down. Irish Unionism, again, has always put forward Protestantism, the Crown and the Constitution as the basis of its appeal. But I am not at all sure that in reality it has not been, as much as anything else, an agitation to keep rents up. What is certain, at any rate, is that the main strength of Irish Unionism has been the landlords and of Irish Nationalism the tenants. No one that I know of has attempted to assess, or, indeed, could assess with any certainty, the impetus which the Home-Rule movement has derived from the land-hunger of the peasantry. But, admittedly, it has been very great. A wholly new phase of the demand for political autonomy was opened when it was linked on to the agrarian agitation. A wholly new phase may open again, now that the crisis of the agrarian agitation is over. Will the Irish peasant, now that he has been put in absolute possession of his holding, be the same man, susceptible to the same influences, as in the days when proprietorship seemed an incredible dream? It is possible to believe that he will not, and that the satisfaction of his historic passion for ownership will work a gradual change in his attitude towards politics. After all, the Irish peasant, like most other peasants, is a Tory and a materialist, and not an agitator, by instinct. When he finds that political agitation has served its turn, and that he has received from it all it is capable of yielding, his mind may quite conceivably turn from it and

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begin to ponder some of the actual problems of an agricultural existence. It is not fanciful to picture the Irish peasant, in the not distant future, as a steadying force in the national equilibrium, mounting sentinel for law and order, ruling the laborers with a rod of iron, an authority on manures, selling his produce through co-operative societies, borrowing from land-banks of his own establishment, gradually effecting his escape from the toils of the gombeen man, a Nationalist, but a placid one, with his pockets rigidly buttoned up against the treasurer of whatever may be the fashionable League of the moment. I dare not positively assert that this picture will be realized, but I think it unquestionable that the pacification of the peasantry is an immense step towards the pacification of all Ireland, and that it promises to drain political agitation of what for thirty years and more has been its life-blood. The Irish, or five-sixths of them, will always be Nationalists and always hoping for autonomy; but a political faith may be held passively as well as actively, and it is quite a possibility that before long the average Irish peasant or farmer may come to regard Home Rule much as it was regarded in Isaac Butt's day, as a decorative and non-vital sentiment, not worth the trouble of any real sacrifice. Indeed, it is already apparent that his political enthusiasm is falling off. Throughout Ireland there is a very general disenchantment with the personnel and policy of the Nationalist party. Mr. Birrell's ill-fated Council Bill brought home to every Irishman the fact that, in the last twenty years, Home Rule has not gained ground, but lost it; and the consciousness of its retrogression has produced a visible lassitude in the national spirit and an impatience, even more pronounced, with the Parliamentary exponents of the cause. The best Irish thought is turning inwards. It is moving away from Westminster and concentrating upon Ireland herself. In the days when obstruction was possible, and when the Irish Party held the balance of power, the small manœuvres of the House of Commons may have interested Ireland. But those days are past. It is realized now that it is not in Westminster, but in Ireland, that the true current of national life flows; and the shifting of the centre of energy and interest has tended to drive the Nationalist Party to the outer circumference. Some, at least, of the waning of the old fervor is to be ascribed to the absence of any strong and commanding leader in the party it-

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self. There is not even a shadow of a Parnell; and, as an inevitable consequence, there is hardly more than the shadow of the movement which Parnell evoked and led. The more stalwart Nationalists complain bitterly of the irruption into the Party ranks of men who represent the local publican and moneylender and the parish priest far more faithfully than they represent the National cause. The young men, especially, seem to be almost wholly opposed or indifferent to the Parliamentarians. The Party organization has lost much of the centralized cohesion and authority it possessed in Parnell's day; there is a good deal of jostling among the leaders for the first place; and the increasing unwillingness of the people to subscribe for the support of their representatives is another and significant sign of apathy and discontent. Except in the western counties, where it is still the popular instrument of agitation against the graziers, the United Irish League might almost seem to be on the verge of collapse.

If now we turn for a moment to the Unionists, we find that among them, too, disintegration spreads apace. Ireland used to be three-quarters black and one quarter white, three-quarters Nationalist and one quarter Unionist. But the old lines of demarcation are losing their rigidity, are beginning to waver, at certain points are even meeting and crossing. A sort of centre party—the Devolutionists—has made its appearance in colors of a neutral shade. Its significance is far greater than its numerical strength. It is recruited in the main from among the more liberal and open-minded members of the Unionist Party—men who, while supporting the legislative union between the two countries, have worked round to the conclusion that the present form of British Government in Ireland is not all-perfect and immutable, and who freely advocate a larger grant of autonomy, a frank recognition of the distinctiveness of the Irish people, and a thoroughgoing reform of the Dublin Castle system. The emergence of such a party with such a programme is an emphatic token that the Unionism of the old school, the Unionism of mere obstinate negation, is becoming played out. And in many other ways the Ascendancy men, if they calmly survey their position, must be conscious that the battle is turning against them. It has become very clear within the last few years that the English Unionists are no longer prepared to follow their lead blindfold.

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They appointed Sir Anthony MacDonnell, a Catholic and an Irishman, to the Irish Under-Secretaryship. They are widely believed to have meditated, under Mr. Wyndham's guidance, a yet longer step along the road of conciliation. They granted the Irish people the Local Government Act of 1898; and large numbers of the English Unionists betray a growing restlessness under the pressure of their Irish allies, watch their gathering perplexities with very little genuine sympathy, and are more and more refusing to regulate their Irish policy in obedience to the demands of a clique. The Irish Peers in the House of Lords and the twenty-odd Irish Unionists in the House of Commons spend most of their time blackening the character of their Nationalist fellow countrymen, screaming for coercion, and endeavoring to persuade the British electorate that the state of Ireland is rather worse than that of Macedonia. It is not an edifying spectacle; among most Englishmen, quite apart from their views on Irish politics, it arouses a feeling little removed from contempt; and it is undoubtedly one of the reasons that account for the progressive alienation of the Unionists in England from their too virulent, too bigoted colleagues in Ireland.

Then, again, the Irish Unionists, or, rather, the dominating landlord element among them, find themselves severely challenged on their own ground at home. Their political citadel is Belfast; and Belfast, while a hot-bed of rabid Protestantism, is also a great industrial city with strong democratic affiliations, and has recently produced an active and powerful Labor Party that has already captured one constituency and will undoubtedly in time capture many more. Even the Orange Society, the organization that symbolizes all the extremes of political and religious rancor, is yielding to the softening influence of the times. An Independent Orange League has been formed that addresses itself to all Irishmen, irrespective of creed or party, that is valiantly democratic and not less valiantly Irish in its sympathies, and that stretches out a hand from the Protestant and industrial North to its Catholic and Nationalist fellow countrymen of the South and West. Young Ulster is no longer satisfied to be the witless plaything of landlords and lawyers, to nourish a barren sectarianism or to look across the Channel for the centre of national interests. It is breaking loose from "boss" rule; it is dropping the "garrison" theory of its existence; it is getting into touch

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once more with the main stream of Irish nationality. Moreover, the better type of Unionists have thrown themselves into the many movements of agricultural and industrial development at which I have glanced. That is to say, some of them refuse to remain forever the members of an aloof, isolated and *fainéant* coterie. They are beginning to see that co-operation with their Nationalist countrymen is not only possible, but eminently desirable, and the influence of that discovery is gradually, but only gradually, permeating the spirit of Unionism. And, finally, the landlords, who, as I have said, have always been the backbone of the Unionist Party, are now selling their estates to their former tenants. They are ceasing to be landlords. They are relinquishing their last position of authority. They are abandoning a sphere in which have been gathered all the worst animosities of Irish history. What is to become of them? Will they pocket their purchase-money, turn their back on Ireland and begin a new life in England? Many, no doubt, will take this course. But many others will continue to reside in their ancestral mansion, and those who do so will find themselves face to face, for the first time, with the beneficent opportunities and duties of a native aristocracy. They will have ceased to be landlords; they will have become, instead, resident country gentlemen, no longer warring with tenants, but able to live at peace with neighbors, and designated by their superior means and education to take the lead in all schemes of local betterment. Insensibly, a change of spirit will pass over them. They will slowly abandon the habit of looking upon themselves as units in the British garrison. They will identify themselves, to a degree hitherto impossible, with the lives and aspirations of the people around them. They will, in short, become Nationalists themselves.

What, then, is the situation? We have seen that a number of varied influences are at work sapping the strength of the two great political parties, that neither the Nationalists nor the Unionists are able to look forward to the future with equanimity, and that Irish politics is in a state of uncertainty and flux. We have seen, too, that a new sense of interdependence is being propagated among Irishmen who hitherto have barely conceived the possibility of having anything in common. We have seen, moreover, that industrial and material problems have acquired a new interest for the Irish people and are beginning to supplant

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their old indulgence in barren agitation. The natural inference from all this would be that Ireland, wearying of the tumult of politics and intent above everything else upon the ways and means of prosperity, was about to become almost as contented a part of the United Kingdom as Wales or Scotland; that the demand for Home Rule, while not abandoned, was about to pass into a milder and more constitutional phase; and that "the Irish Question" was on the way to solving itself. But such an inference I believe to be mistaken, and the very movements that in one light seem to warrant it are in another its chief refutation. This is not a more cryptic saying than any statement about Ireland necessarily must be; it really has a meaning. For if we analyze merely the factors I have already named—and they by no means exhaust the forces that are shaping what is scarcely less than a new Ireland—we shall find that there is a very considerable sense in which they may all be said to proceed upon a common formula and to work towards a single objective. The formula is, roughly, that the salvation of Ireland depends primarily upon the efforts of the Irish people themselves working on Irish soil. The objective is the building up of the moral stamina of the people and their education in the broadest spirit of nationality.

The importance of this formula and of this objective can only be measured by remembering that Irish history has fatally discouraged the spirit of self-reliance, has split the people into separate and contending factions, and has implanted in them the disastrous belief that the cure for all their ills is to be sought in legislation, in assistance from without, in some external agency, and not in themselves. If, therefore, it is true that the Irish, thanks to the operation of these new influences, are gradually breaking down sectarian and party barriers, are coming to recognize that they are all members of one nation, are learning to lean upon themselves, are ceasing to look exclusively to Westminster, are emancipating themselves from the tyranny of Leagues and committees, are cultivating a virile and salutary individualism, are beginning, in short, to think, speak and act for themselves—if all this be true, or even approximately true, then the fact is one that carries with it some considerable implications. And in a country where politics holds a dominion not exceeded in Greece or America some of those implications are bound to be political. I shall attempt to assess their significance later on.

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Meanwhile, let me note that the movements I have named do not stand alone. They are reinforced, and their influence in inculcating self-dependence and a new sense of conscious and constructive nationality is made vastly more intensive and extensive, by the Gaelic League and the fervor of the Celtic renascence. The Gaelic League is an organized and enthusiastic movement for the revival of the old Irish tongue, the old Irish dances, folklore, songs and sports. Students of history, especially of such histories as those of Poland, Hungary and Bohemia, when they find a people deliberately setting out to recover for themselves their ancient speech, and when they find a group of able and earnest writers devoting all their powers of expression in poetry, the drama and the press to the illustration of national themes and the delineation of national traits, will infer that the country in which this mental and moral uprising takes place is on the eve of a profound and penetrating revivification.

The inference, in my judgment, is a sound one even in the case of Ireland, where most analogies hopelessly break down. That is to say, I believe that Ireland is in the throes of some such renascence of her national spirit and character as Hungary underwent sixty-odd years ago. She is being reborn. The people are recovering their collective soul; they are reviving their racial consciousness; they are being swept and invigorated by the returning spirit of essential nationhood. Ireland, as I see her, is developing a new backbone and a new sense of unity, and with it a new conviction that she is not only a distinct, but a distinctive, entity. Almost for the first time in her history, she is working round to some realization of what nationality is. She is beginning to see that it is something beyond politics and immeasurably above the factitious partitions of social and sectarian strife. Ireland, in a word, is thrilling with the determination to become and to remain Irish. It is for that purpose she is seeking to revive Gaelic, to popularize anew her ancient songs and pastimes, to restore the links in her historical continuity that were severed when the decay of her ancient tongue passed a sponge over all her national characteristics and reduced her, socially, intellectually and spiritually, to a mere English province. It is for that purpose and in the faith of that ideal that she is working to make herself materially self-sufficient, to enforce the purchase of Irish goods and products as a patriotic duty, and to develop

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all her resources from within. All these movements, consciously or otherwise, work towards one all-embracing end—an Irish Ireland. Whether their immediate aim is that of strengthening the national will or awakening the national soul or of stiffening the national backbone, all proceed upon the formula that the salvation of Ireland must be sought and achieved by Irishmen on Irish soil. All in their different ways set forth an ideal of nationality that overrides parties, creeds and sections. All inculcate self-reliance as the primal need. All discourage that fatal Irish habit, of all the fruits of misgovernment the most poisonous and paralyzing, of throwing upon anybody but themselves the responsibility for their moral or material shortcomings. To encourage and find or force an outlet for the native instincts and genius of the people, to save them from Anglicization, and to lead them back to the well-head of the old Irish language, arts and recreations, are the objects of the Gaelic League. To promote Irish industries and equip the peasant for the realities of a competitive agricultural existence are the more prosaic aims of the industrial revival and of the co-operative movement. At first sight, they might not seem to have much in common; in reality, they have everything. They all make for initiative and self-dependence and intensify the sense of an upbuilding nationality.

Ireland, I need hardly say, would not be Ireland if so deep a stir in the spirit of the country were to leave politics alone. It has, in fact, thrown up in Sinn Féin one of the most singular of the many strange agitations in Irish history. In the Sinn Féin movement all the new forces and impulses that are stirring Irish hearts and minds find their fullest and most compact expression. There is not a principle or an objective in the industrial revival, in the Gaelic League, in the agricultural co-operative movement or in any of the new agencies that promise to leave Ireland more Irish, more prosperous and more virile that the Sinn Féiners do not make their own and translate into terms of living politics. Not until we have mastered its policy, its philosophy and its tendencies shall we be able to judge the direction in which Ireland is likely to move or to weigh the alternatives with which she is faced. It is, therefore, to an exposition of Sinn Féin that I propose to devote the next article.

SYDNEY BROOKS.

(To be Continued.)

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THE SOWERS.

Written for the Fiftieth Anniversary of the Founding of St. Lawrence University.

BY IRVING BACHELLER.

I KNOW the hills that lift the distant plain,
The college hall—the spirit of its throngs—
The meadows and the waving fields of grain,
Full well I know their colors and their songs.

I know the storied gates where love was told,
The grove where walked the muses and the seers;
The river, dark or touched with light of gold,
Or slow, or swift so like the flowing years.

I know not these who sadly sit them down
And while the night in half-forgotten days;
I know not these who wear the hoary crown
And find a pathos in the merry lays.

And Memory, with old wisdom on her lips,
Her finger points at each familiar name—
Some writ on stone or prows of stranded ships,
Some in the music of the trump of fame.

Then oft, I think, beloved voices call
And find a weathered door 'neath ancient trees.
I hear sad echoes in the empty hall,
The wide world's lyric in the harping breeze.

It sings of them I loved and left of old,
Of my fond hope to bring a worthy prize—
Some well-earned token, better far than gold,
And lay it humbly down before their eyes.

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And tell them it were rightly theirs—not mine;
An harvest come of their own word and deed.
I strove with tares that threatened my design
To make the crop as noble as the seed.

So they might see it paid—that life they knew—
A toilsome web and knit of many a skein,
With love's sweet sacrifice all woven through,
And broken threads of hope and joy and pain.

On root-bound acres, pent with rocks and stones,
Their hope of wealth and leisure slowly died.
They gave their strength in toil that racked their bones;
They gave their youth, their beauty and their pride,

Ere Nature's last defence had been withdrawn
That those they loved might have what they could not—
The power of learning wedded to their brawn
And to the simple virtue there begot.

My college! Once—it was a day of old—
I saw thy panes aglow with sunset fire
And heard the story of thy purpose told
And felt the tide of infinite desire.

In thee I saw the gate of mystery
That led to dream-lit, vast, inviting lands—
Far backward to the bourne of history
And forward to the House not made with hands.

You gave the husbandman a richer yield
Than any that his granary may hold;
You called his children from the shop and field,
Taught them to sow and reap an hundredfold.

To sow the seed of truth and hope and peace,
And take the root of error from the sod;
To be of those who make the sure increase,
Forever growing, in the lands of God.

IRVING BACHELLER.

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NEW BOOKS REVIEWED.

BY THOMAS WALSH, CHARLES JOHNSTON AND CARL SNYDER.

"THE GREATER ENGLISH POETS OF THE NINETEENTH CENTURY."*

THE wealth of poetical illustration to his new volume, "The Greater Poets of the Nineteenth Century," as well as Dr. William Morton Payne's scholarship and enthusiasm for the muse, have given rise in some critic quarters to a misapprehension of the purport of his work. From the start, however, he disclaims any intention to discuss the strictly literary achievement of the twelve English poets, from Keats to Swinburne, to whom he ascribes pre-eminence; but proposes to devote himself to tracing their relation to the worlds of thought and action and their outlook upon the life of their century.

This disclaimer will hardly soothe the critical feathers that have been ruffled; for Dr. Payne's treatment of the poets is after a fashion that is "popular rather than scholarly," a sociological procedure in which the poets figure merely as the human documents and exhibits, and their poetry as a matter of secondary importance.

While one remembers that poetry has many aspects, and whatever may add to its value with the masses should meet with encouragement at the hands of all true believers, it remains to be questioned whether any serious end—poetical or scientific—is served by this kind of "criticism of life" which,—while noting the inadequacy of the phrase as a definition of poetry,—Dr. Payne adopts as the directing principle of his volume.

How little benefit to poetry can be derived from scientific criticism, which as a prerequisite confines itself to cool and calculated processes and eschews emotion of any kind, must be

* "The Greater English Poets of the Nineteenth Century." By William Morton Payne, LL.D. New York: Henry Holt & Company. 1907.

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clear at a glance. That science, on the other hand, can hope for valuable results from the application of sociological methods to subject-matter, such as modern poetry, seems an opinion that leaves out of account the uncertainty of the æsthetic equation in every artist and work of art. What literary confusion and evil will not result from a criticism that will grade the poets in importance according as they supply materials for history or philosophic theories? It is usually the lesser poet who most clearly expresses his environment, and when we consider the continual reiterations of opinion, the constantly growing intricacy of modern society, we have no little reason to question as inconclusive the data which the scientists persist in demanding from poetry.

"The Greater English Poets of the Nineteenth Century" is in a way supplementary to the voluminous work on "Main Currents in Nineteenth Century Literature" by the Danish critic Dr. Georg Brandes, the weakest part of whose series is perhaps that devoted to the English naturalist movement. In both method and philosophy the works of Dr. Payne and Dr. Brandes present interesting similarities, and, while it may be said that the American critic brings to his subject a fuller comprehension, nevertheless he may not lay claim to the wealth of data and analogy with which Dr. Brandes wins the popular ear.

Moreover, Dr. Payne has not been always wary of the radical tendencies in the Danish *littérateur* against which he himself feels called upon to warn his readers. He does not, of course, declare open warfare on conservative positions, such as characterize the later volumes of "Main Currents in Nineteenth Century Literature," but he indirectly forms the mind of his readers to regard the poets of the nineteenth century as being great in such measure as they conform with the movements and prognostications of to-day—a period confessedly anarchic in the worlds of art and thought. Tested on such a shifting scale, the poet Coleridge, the intellectual, who dealt with life in the terms of eternity, becomes a pathetic figure out of harmony with the times and *schema* of radical philosophy; Wordsworth, with his reverence for what was established and his fears lest excesses in thought and action might not lead to the hoped-for betterment of society, is also put aside unsympathetically; Tennyson, with his ceaseless queries as to a moral order in the universe and the claims of man to immortality, seems, as it were, touched with

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the shadow of the retrograde and receives what his admirers will feel to be rather cold consideration.

But, on the other hand, Shelley, that winged messenger of the freedom of the spirit, supplies the very gospel of this lyric philosophy; Byron, the voice of revolution, the philosopher, rather than the poet, of "Don Juan"; Landor, that Walt Whitman of the Parthenon; Browning, whose faith, says Professor Santayana, as quoted by Dr. Payne, "is invincible because it is unseizable—as safe from refutation as it is from embodiment"; Matthew Arnold, loath to admit that his philosophy had anything in common with "interdependent, subordinate and coherent principles"; William Morris, whose radicalism may explain his inclusion among these greater poets; Swinburne boldly assailing the old orders of creed and code which the others had been merely content to deny;—these are Dr. Payne's true "intermediaries between nature and the public"; through these are traced the traditions of the radical school and the up-to-date dogmas of literary evolution.

Let us hope, after all, that however it may be with philosophy, we may still regard poetry as the rhythmic pease-porridge which some will have hot and others cold. Long may our poets prove to be the delight and solace of gentle souls as well as the despair and confusion of the utilitarian pragmatist!

It is to be hoped also that Dr. Payne, now he has given us under the somewhat misleading title of "The Greater English Poets of the Nineteenth Century," so readable an epitome of the philosophies of the past hundred years, he will gratify his admirers with that volume upon the English poets as poets which he would seem eminently fitted to provide.

THOMAS WALSH.

A HISTORY OF AMERICAN PHILOSOPHY.*

ONE begins this book with interest and continues it with growing enthusiasm, gradually led to the conclusion that it is one of the most valuable works published here in recent years, and one which renders the highest service to the nation. This is a book which makes us wish we had something here like the French Academy, that so good a book might be stamped with the seal of national approval.

* "American Philosophy, the Early Schools." By I. Woodbridge Riley, Ph.D. New York: Dodd, Mead & Co.

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Its lasting value is that it helps us to understand the American spirit, and to see that the genius of our nation finds its true expression in the worthiest field of human endeavor. We are somewhat weary, perhaps, of perpetual material triumphs, of the talk of our unrivalled natural resources, our mechanical inventions, our commercial organizations, our tremendous output of raw material, of "hogs and hominy"; and we may have heard warnings from some of the most far-seeing among us that this vast output is really a prodigal burning up of our national resources. And, our ears perpetually filled with these gratulations and warnings, we may have been tempted to ask whether as a nation we had no higher claim to recognition than the bigness of our steel trade, the strength of our corporations, the vigor of our party politics. We look for something finer and worthier, something that will enkindle the heart and soul, something better answering to our ideal of the spiritual greatness of the American nation.

To such a mood, Dr. Riley has given the best possible answer. He has shown that, ever since the days of the Puritan colonists, this country has had a vigorous intellectual life, always sincere, often strongly articulated, sometimes bearing the stamp of high original genius. This volume seems to be the precursor of a further work, showing the culmination of American thought in the splendid evangel of Emerson, which we shall learn to recognize as one of the great achievements of the human soul. In the thought of Emerson, with its sense of the spiritual value of life, its high and inspiring estimate of the soul, its ring of immortality, the American spirit reached its fine efflorescence, its most authentic revelation; and as we are true to spiritual values, true to the soul, we are true to the real American spirit.

There are many elements of high value in this book. One of these is the lucid and compelling way in which Dr. Riley shows how the philosophical thought of different periods was related to their political life, and, further, how different sections of the country stood for different intellectual tendencies. Thus, "in its broader aspects the North stood for idealism, the South for materialism, and the Middle States for the mediating philosophy of common sense. In addition to this broader distribution there was a more precise localization of the philosophical schools, since the places where they originated also depended upon the periods in which they originated. Here the larger colonial colleges, al-

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most in the order of their founding, constituted so many radiating centres of speculation, Harvard being identified with deism, Yale with idealism and Princeton with realism." Such a summary as this at once gives us a new interest in the intellectual life of the American nation, a new realization of the value and meaning of our national universities. Dr. Riley works out this development in detail, with lucidity, vividness, humor and logical force, bringing us in certain directions up to about the middle of the nineteenth century.

Another element of the highest value is new and truer estimate we are helped to form of certain of the great men in American history. Just as some commonplace engraving used to run through the text-books of a generation, so the popular idea of certain conspicuous men, originally formed on a partial and shallow understanding, has passed current from one epoch to another, it being nobody's duty to question whether the original estimate was a just one. Among the noteworthy men of whom one gains a truer understanding from Dr. Riley's pages, one may name Cotton Mather, Benjamin Franklin and Jonathan Edwards, and particularly the last. Indeed, one of the great services which this History of American Philosophy renders is the revelation of Jonathan Edwards as something more than a Puritan firebrand, something more than a zealous theologian, as, in fact, a man of high eloquence, of great elevation of thought, of marked original genius. Here is a short passage from the writings of the New England Saint, showing at once the excellence of his style and the beauty of his thought:

"After this my sense of divine things gradually increased, and became more and more lively, and had more of that inward sweetness. The appearance of everything was altered; there seemed to be, as it were, a calm, sweet cast or appearance of divine glory, in almost everything. God's excellency, his wisdom, his purity and love, seemed to appear in everything; in the sun, moon and stars; in the clouds and the blue sky; in the grass, flowers, trees; in the water and all nature; which used greatly to fix my mind. I often used to sit and view the moon for continuance; and in the day spent much time in viewing the clouds and sky, to behold the sweet glory of God in these things: in the mean time singing forth, with a low voice, my contemplations of the Creator and Redeemer. And scarce anything, among all the works of nature, was so sweet to me as thunder and lightning; formerly, nothing had been so terrible to me. Before, I used to be uncommonly terrified with thunder and to be struck with terror when I saw a thunder-

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storm rising; but now, on the contrary, it rejoiced me. I felt God, so to speak, at the first appearance of a thunder-storm; and used to take the opportunity, at such times, to fix myself in order to view the clouds, and see the lightning play, and hear the majestic and awful voice of God's thunder, which oftentimes was exceedingly entertaining, leading me to sweet contemplations of my sweet and glorious God."

We find a new meaning in the Connecticut valley and the Berkshire hills, if we think of them as the setting of such pure rapture and aspiration, the very echo of Assisi. If there be much more of equal value in the writings of Jonathan Edwards, Dr. Riley would render a valuable service to his countrymen by editing a volume of selections from the New England saint, which would become a valued possession for all who believe in the American spirit.

CHARLES JOHNSTON.

ARRHENIUS ON "WORLDS IN THE MAKING."*

ABOUT fifty years ago, the greatest minds were engaged upon an intricate and baffling problem. What becomes of the vast outpour of energy, of heat and light, from the monstrous surface of the sun? Some is intercepted by the little globule of iron that we call the earth; and to this, we know, every trace of life and movement on this globule is due; the rush of the winds, the waterfall, the growth of the plant, every thrill of pain or joy, every idea, we experience is but the mechanical translation of the energy of the sun.

But the amount of this energy intercepted by the planets is infinitely slight—not a billionth. Whither all the rest?

Fifty years ago experimental science had reached an experimental demonstration of a truth, or idea, long entertained by some ancient philosophers: that nothing can come from nothing, that whatever is was, from aye, and will be, for aye; that there is no creation, no destruction, no creator, no destroyer. This thought was summed up in the modern doctrine of the Conservation of Energy: in Spencer's simpler and more vivid phrase, the Persistence of Force.

But if the suns, and all other bodies, be constantly radiating into space the stores of heat-energy they contain, the available,

* "Worlds in the Making." By Svante Arrhenius. New York: Harper & Brothers.

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utilizable fund seemed constantly on the decrease. We had the familiar picture of a universe that, clocklike, is running down.

New supplies of light and heat might be transiently liberated by the collision of suns with suns, such as we now know to be constantly taking place; but this would, to us, merely delay the unescapable event.

So reasoned the strabismic—chief among them the late Lord Kelvin. But to the larger and clearer vision of Spencer—seer, in the highest sense, if there ever was one—came the perception that matter and motion being indestructible, there could be no such finality. Already, in the first edition of First Principles (1860), he had announced this view, and in a later edition it was considerably developed.

This conception of an unending cycle, with no beginning and no end, is the key-note of the remarkable volume which has recently come from the pen of Professor Svante Arrhenius, of Stockholm, which now finds its way into English.

Like all vast conceptions, it is simple in the last degree. It comes from one of the most varied and brilliantly endowed minds of our generation—a Helmholtz of our time. Arrhenius was already practically the founder of one new science, physical chemistry, and a foremost worker in at least two others. His Textbook of Cosmical Physics, a monumental work, stamped his authority in the field covered by this slender but fascinating volume. He has revealed that, now as always, the great mind has right of eminent domain, and that the specializer is a grubber merely.

In a volume simply teeming with new ideas and ingenious explanations, it is difficult to make selection. Aside from the demonstration that the second law of thermodynamics cannot be universally true, perhaps the most interesting portion of the book is that which brings low another pet theory of Kelvin's—of Helmholtz as well—that the sun is not many million years old — perhaps less than forty, and can last but a few million more, as a sun.

Not in contraction of its mass, but in the liberation of the stores of heat absorbed in the nebular state, does Arrhenius find the origin of the sun's energy. It is chemical rather than mechanical, and may be thousands of times greater than the older speculators had supposed. This new view naturally sets no bounds to the geologists' claims as to the immense antiquity of

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the earth. What Huxley said, in his celebrated strife with Kelvin (whose notions, at base, were always perverted by a curious theological twist) must be true, Arrhenius offers as a fact.

It was Arrhenius, as is well known, who was the first to apply the newly discovered *pressure of light* (and all radiant energy) to cosmical problems and thus elucidate the mysteries of the northern lights, the aurora, the zodiacal light and a score of others. It is these same particles, shot off by the sun, which doubtless, together with the varying intensity of the sun's radiation, determine our weather changes, and hence, indirectly, the course of our fitful little lives.

The desirability of other planets as abodes of the blest and others, is interestingly discussed in the light of other data than that dispensed from Flagstaff, Arizona; and finally, this interesting man gives a sketch, in the final chapter, of his novel theory of the transmission of life from world to world. This he conceives is accomplished by means of minute spores, which are driven out of a planet's atmosphere under this same pressure of light, and so in time come to fertilize those which are sterile, and thus make possible such a wondrous development as modern science has revealed to our astonished and purblind eyes. Arrhenius holds that just as matter and energy are eternal, so possibly life is; and just as the matter of the universe is known to be all the same, so also may be its living shapes.

This throwing back of the life problem to the region of primal things is carefully worked out, and though I, for one, cannot believe it is forced by our present knowledge, or lack of it, there are no especial objections to such a view, save in that it will probably be taken to give a new lease of life to the Obscurantists —the people who want to make a mystery of everything. The last of these Intransigeants are now dangling from the broken end of a dead limb, over an abyss that will soon swallow them utterly; it will comfort them to find so strong a thinker, as it were, passing them a rope. The synthesis of living substance within thirty or forty years will, I believe, forever dispel the notion that life is any more of a mystery than water, stones or air, save in the complexity of its organization of matter. Forever will the great world-mystery abide; all else, all it contains, is explicable, and will one day be explained.

CARL SNYDER.

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WORLD-POLITICS.

LONDON: BERLIN.

LONDON, *May, 1908.*

THE death of Sir Henry Campbell-Bannerman came home to all Englishmen with a curious sense of personal loss. Curious, because only a very few years ago "C-B" was the most execrated man by a certain school of opinion in the country, and the idea that his passing would be felt by men of all parties as a national loss and would touch the emotions of his fellow countrymen with something of a fireside intimacy would have seemed almost fantastic. I was remarking in one of these letters only a few months ago that "C-B's" illness surprised the country into consciousness of how greatly it had grown to like him, and the Liberal party into a full realization of how much it owed to him. The last two years of his life raised "C-B" above the mists of obloquy and detraction and enabled the nation almost for the first time to see him as he really was; and I cannot away with the impression that the very genuine and sincere grief evoked by his resignation and subsequent death was intensified by the feeling that in the past he had not always had fair play, and that some reparation was due to him for the injustices and misunderstandings of former years. Public life seems sensibly less gracious, now that he is gone. It would, indeed, be a piece of flattery that his own good sense and homely shrewdness would have been the first to repudiate to pretend that he reached the level of greatness. But he succeeded where many great men might easily have failed. His very lack of the qualities that go with the highest kind of leadership was in a way an assistance to him. His simple fortitude in the black years of dissension and defeat, his mellowness, sanity and good humor in the hardly less difficult moment of overwhelming victory, were invaluable assets to the cause of Liberalism. It was

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not, indeed, "C-B" who reunited the Liberal party; it was Mr. Balfour and Mr. Chamberlain. But it was very largely owing to "C-B's" unwavering constancy that such a thing as a Liberal party survived at all. He was for a long while regarded as the white elephant of his party; he proved to be the instrument of its salvation. He had the rare art of governing through the affections and it enabled him, though not a man of conspicuous abilities, to preside over and, to an extent that even now is only half suspected, to direct the greatest outburst of legislative energy that this country has known. No man ever proved more adroit in disentangling the recurrent crises of politics; to no man did a discordant and impetuous following ever refer its disputes with a more implicit confidence in his fairness and good feeling. He was the first Prime Minister who did not belong to, and had little sympathy or affiliation with, "the governing class"; and the distinction enabled him to keep in touch and understanding with the newer movements long past the age when most Liberals are Whigs and most Whigs Conservatives.

The country has now had some weeks in which to adjust itself to the change in the Premiership and to form its opinion on the personnel of the new Cabinet. It is generally admitted that Mr. Asquith has acquitted himself admirably. Less popular and ingratiating than his predecessor, of a harder and more self-contained temperament, he is unquestionably "C-B's" superior in intellect, driving power, eloquence and the primal fighting qualities. His speeches since his accession have been, as all his speeches are, singularly virile, clean-cut and heartening. He has already reanimated the Liberal party. Men may criticise his manner, may wish that he showed a rather more genial side to the world, may contrast his somewhat metallic disposition with "C-B's" coaxing flexibility. But they are conscious at the same time that they have in him a leader cool and skilful in strategy, brilliant on the field of battle, purposeful and sagacious in all his movements, always supremely sure of himself, always convinced that there is no better method of political defence than a vigorous and resolute attack. His reorganization of the Cabinet, even by the acknowledgment of its opponents, has visibly strengthened it. Some of the less satisfactory members of the "C-B" ministry have been got rid of; new and promising blood has been introduced; the promotions, with perhaps one exception,

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have appealed to the business sense of the nation; and everybody recognizes that the country gains by the closer correspondence that is now established between the views of the Prime Minister and those of his Foreign Secretary. I cannot, perhaps, give a better idea of the new Cabinet than by saying that, on the whole, it is the sort of Cabinet that Mr. Roosevelt would have formed had he been in Mr. Asquith's place. Moreover, it is felt that the moment of its birth is opportune and that a new Ministry with a new leader may be able to inherit the successes, but not the failures, of the "C-B" Government; may make concessions that would have been impossible to its predecessor; may alter the general scheme of Liberal tactics at this point and at that, and, by the interest it arouses and by its comparative freedom in the choice of routes to its goal, may succeed in stemming the obvious reaction that was setting in against the Ministerial policies.

The reality of that reaction is not to be disputed. Every by-election shows either a Unionist gain or a greatly diminished Liberal vote. The Unionists are claiming that there is not to-day a single seat which was won from them in 1906 which has not already been morally regained. It is an exaggerated claim, but the facts support a good part of it. In the six contested by-elections that have been held this year the Unionist vote has increased by 11,122 and the Liberal vote has decreased by 6,331. The defeat of Mr. Winston Churchill in Northwest Manchester was, on any hypothesis, a staggering blow for Liberalism. If there is one city in Great Britain more bound up by tradition with Free Trade than another, that city is Manchester. If there is any division in Manchester which Free Traders might have looked upon as more deeply committed to their cause than another, that division is the Northwest division. Yet in that city and in that division, with a brilliant and captivating candidate, just appointed to the Presidency of the Board of Trade—an office that must always peculiarly appeal to a commercial constituency—and opposed by a candidate of no conspicuous ability, their majority of over twelve hundred was wiped out; they were not merely defeated, but smashed. It is true that the campaign was complicated by many issues, that the Unionist candidate did all he could to keep Tariff Reform in the background, and that the local Catholics revolted from the Government on grounds, not of fiscal, but of educational policy. But I do not know that

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from the Liberal standpoint all this is much of a consolation. If they argue that the Unionist victory of a few weeks ago was not won on the specific and solitary issue of Tariff Reform, the reply is that the Liberal victory of 1906 was not won on the specific and solitary issue of Free Trade. In both cases the pronouncement of the constituency was against the general record of the Government. An absolutely plain and isolated issue there cannot be without the referendum. Liberals in 1906 claimed for Free Trade a victory that was largely won by the Chinese Labor question, by the Education Act of 1902, by the Taff Vale decision and by the popular irritation against the personnel and conduct of the last two years of the Balfour Ministry. They cannot, therefore, complain if their opponents in 1908 claim for Tariff Reform a victory that was largely won on other than fiscal issues. They comfort themselves by assuming that at the next general election, when a vote against Free Trade will have a far greater significance and will amount to a mandate to set up a Protective Tariff, Northwest Manchester will return to the Free Trade fold. But that assumption is merely a speculation on a series of possible, but by no means inevitable, contingencies. Meanwhile Mr. Churchill's defeat, the further reverses that may have to be chronicled within the next few weeks, and the emphatic testimony of the decline in the Liberal vote have forced the Government to realize that it has already reached the crisis of its fate.

What are the causes of the reaction? How is it that singularly able Ministry, which has conducted foreign and colonial affairs with unsurpassable success, which has introduced and passed many admirable measures of social and commercial reform, and which has held office for less than thirty months, should now find itself in the trough of popular disfavor? The first explanation I would offer is that the Government has become tainted in the minds of a great many people, particularly of the middle-class, with Socialism. A few weeks ago a bill was brought forward in the House of Commons and one hundred and sixteen Liberal members voted for it, providing that, whenever a working-man had registered himself as unemployed, it should be the duty of a specially created local authority either to provide him with remunerative work or to maintain him and his family until work could be found. It is true that the Government refused in any way to support so monstrous and revolutionary a measure.

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But the mere fact that it could be introduced and that so many Liberals, in spite of the attitude of their official leaders, could be found to vote for it, was sufficient to fill the average man with some definite apprehensions. Then, again, it will be remembered that last autumn, for the first time in English history, a candidate who ran as an avowed Socialist was elected to the House of Commons. The Tories have naturally made an immense amount of capital out of that fact. They have used it to promote a scare about property. The English middle-classes are as susceptible to scares about property as to scares about Ritualism. I do not say that they are as yet in a state of alarm, still less of panic. But they are fidgety with a vague, but potent, uneasiness —the sort of uneasiness that may lead them, unless it is dispelled, to vote blindly for the Tories as the "saviors of society."

Within the last few months, moreover, there has been an all-round increase in the cost of living. This tells against a Government in any country. It tells particularly against the Liberal Government in England because the essence of the Free Trade case is cheap food. No intelligent man, of course, holds the Liberal Government or Liberal policy responsible for the rise in the price of bread or can for a moment be imposed upon by the fallacy that because bread is dearer therefore Free Trade is unsound. But for electioneering purposes the increased cost of provisions has been sufficiently effective and the Tariff Reformers have diligently exploited it. Thus both the middle and the working class have to some extent been turned against the Government. It is the fortune of politics and there is nobody to be blamed for it. Certain measures on the Liberal programme have, however, added to the reaction. The Eight Hours Bill for miners, for example, has been opposed, and, so far as I can judge, in no partisan spirit and on not very unreasonable grounds, by a large number of industrial interests as involving a certain increase in the price of coal; and the price of coal, I need hardly say, is a matter that interests in addition every householder in the country.

Then, too, the Licensing Bill, with which I dealt at length in my last communication, has committed the Government to a fight for its life with the most powerful, the wealthiest and the best organized trade in England. The brewers are assailing it with unparalleled vehemence as at once an attack upon prop-

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erty and destined to increase the cost of the working-man's beer. I believe myself that the Government will triumph and that the principle of its bill will be accepted by both Houses of Parliament. But in the mean time the fight against it is being waged with incredible fury and with every ingenious weapon of misrepresentation and terrorism.

The Unionist Free Traders, again, who supported the Liberals at the last election, but who are Tories at heart, feel that their allegiance has been severely strained by the radicalism of the Government's policy, especially by the Old Age Pensions project and by such measures as the miners' Eight Hours Bill and the feeding of school children at the public expense. They complain bitterly that the Government has forgotten that it was elected to act as the trustee for Free Trade, and is hurrying the country into a multitude of social reforms the mere financing of which will make Protection inevitable. The Liberals, in addition, have not developed their Parliamentary tactics with either judgment or foresight. Their attack upon the House of Lords has up to now palpably failed. Moreover, they have bewildered the country by the numbers and magnitude of the measures they have proposed. The people have no appetite for more than one first-class measure at a time. The Government has tried to thrust three or four down their throats simultaneously. The result is confusion, congestion, repletion and, finally, revolt. And on the top of all this the boom in trade has already slackened and shows signs of collapsing, while the Tariff Reformers have plucked up heart and are now conducting a far more extensive and effective propaganda in the constituencies than at any time since the opening months of the fiscal controversy five years ago.

Such I believe to be the chief causes of the present reaction against the Liberal policy. It is a matter of more difficulty to determine whether they are temporary causes or permanent, whether they are now at the height of their influence or whether the future is likely to intensify them. My own impression is that the worst of the Government's trials will very soon be over, and that good courage now and good strategy hereafter will enable the Liberals to concentrate all their forces upon the fiscal issue at the next general election. The immediate necessity of their situation is to get the Licensing Bill passed. I believe they will succeed in doing so.

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BERLIN, *May, 1908.*

THE Polish Expropriation Bill has now become law, and authorizes the Prussian Government compulsorily to acquire land in the Polish provinces of Posen and West Prussia for the creation of German settlements. The expenditure involved will amount to nearly $100,000,000. The policy which this law represents was initiated more than twenty years ago, and during this period millions of money have been sunk in the purchase of land in the Polish districts which is now as far as possible to be parcelled out among German "colonists." This Prussian law is to be supplemented by an act of Imperial legislation which is designed absolutely to prohibit the use of any but the German language at public meetings after the lapse of twenty years. The French, Danish, and Polish languages and innumerable dialects are to come under the ban, and, in the words of a popular German journal, "in 1928 Germany is to become a 'national' State—by proclamation."

The purpose and effect of this legislation is plain. Its essentially political character cannot be argued out of existence by means of constitutional sophistries and false analogies. Of its expediency from the point of view of domestic harmony and social progress the Prussian Government itself claims to be the best judge. The Prussian Constitution recognizes the principle of expropriation as a legitimate instrument for promoting the "public interest," but even those who drew up this charter scarcely dreamed that upon the strength of this recognition a claim to curtail the rights of one-seventh of the population would be set up. During the course of the controversy over the Expropriation Bill repeated allusion has been made by the Prussian Government to the situation in Ireland, which has been boldly adduced as furnishing a correct and complete analogy for Prussia's policy towards her Polish subjects. Even less to the point have been the frequent and triumphant references to the experiment in the direction of land nationalization represented by the English Small Holdings Act, which was passed by the House of Commons last year, and provides for the compulsory purchase, in certain circumstances, of land for allotment to local applicants. After many vicissitudes the Polish Expropriation Bill has become law. The Poles themselves, in obedience to the counsels of the Catholic clergy and of their political organizations, have so far

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maintained an attitude of reserve towards the measure now that it has become an accomplished fact. Against the armed forces of the Prussian Government the Poles are powerless. There is an uncomfortable expectation, however, that when once the act is set in motion they will oppose to the measure a passive resistance similar to that which kept the Polish provinces in a ferment last year, when the children in the Polish elementary schools organized a general strike as a protest against the prohibition of religious instruction in their mother tongue.

Beyond Berlin, the Mecca of so many Americans, few travellers ever care to venture. There is little to attract the curious further east. West and East Prussia and Posen lie beyond Berlin, and in these provinces the views and conditions of life are worlds removed from the metropolitan airs and graces of the German capital. The prevailing atmosphere is still more alien to the complacent friendliness of Frankfurt and Cologne, or the tolerant familiarity of South Germany. The continuity of this preponderatingly agricultural region, which is divided, but not separated, from the Russian Polish provinces by an artificial political frontier, is broken only by the furnaces and factories of the Silesian industrial *enclave*. The sparsely scattered population consists of a curious medley of Poles, Masurians, Lithuanians and Jews, who furnish a considerable contingent of the endless stream of emigrants which year after year pours into the United States. The Protestants are numbered by the Prussian crown among its loyal subjects, while the Catholic elements are regarded with suspicion. These motley creeds and nationalities are dominated by the type of Prussian-German whom good but untravelled Frenchmen still regard as their *bête noire*. It is this unexplored region, merging almost imperceptibly into the Russian landscape further east, that supplies the driving-power and reserves of labor for all Germany, and it is the policy of Prussia to purge her eastern marches of the elements which, in the event of war, might prove a source of weakness. The argument that the millions of money now being spent upon the Germanization of Poland might more profitably be devoted to additional armaments is in itself unanswerable. But from the point of view of the maintenance of Prussian hegemony the purpose served would not be the same. The straggling districts in which the Poles predominate overlap on to the Russian territory to the east, and to the south they blot

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out, as far as speech and customs are concerned, the Austrian frontier-line. Arbitrarily divided upon grounds of political expediency, the Poles owe nominal allegiance to three empires, but nevertheless remain united in sentiment. While the Russian Poles, hemmed in on two sides, are still powerless to control their own destinies, the Austrian Poles have successfully asserted their claim to a considerable share in the conduct of affairs in the Dual Monarchy, and the fate of the Poles in Prussia has not failed to excite loud protests in the Austrian Chamber. Notwithstanding the close and intimate relations which Germany aspires to maintain with both her neighbor and her ally, protests and plaints alike have passed unheeded by Prince von Bülow, who, in his various speeches on the Expropriation Bill, had discounted them beforehand. But any wholesale eviction or emigration of the Poles from the Prussian provinces can only help to swell the disaffected elements among Russia's Polish subjects, and to inflame Slav passions against German influence in Austria. While Russia cannot contemplate with equanimity an eventuality of this kind, Germany herself can scarcely afford at the same time to weaken the stability of her alliance with Austria. Nevertheless, Prince von Bülow professes to be indifferent to the opinion not only of Germany's friends and neighbors, but of the world at large, and appeals to his countrymen to be guided solely by the "defiant instinct of self-preservation."

Almost at the same moment at which the German Imperial Chancellor brushed aside as negligible the opinion of the outside world, inspired pens were set in motion in order to impress upon the American public the transparent legitimacy of "German expansion." In presence of Prince von Bülow's admonitions, it passes the comprehension of plain minds to understand what possible interest the American public could be conceived to feel in German policy with regard to Belgium and the Netherlands. It would be foolish to suppose that the Imperial Chancellor invites foreign public opinion with regard to his policy for the mere pleasure of neglecting it. In the absence of more satisfactory explanations, it is possible that the opinion thus invited was to be elicited for the benefit and guidance not of the German people, but of some third party. For example, it may be that in view of the North Sea negotiations, the German Government desired indirectly to inspire confidence in the other States which

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are concerned in the agreement in that sphere, without, however, unduly emphasizing the value which, as the proceedings with regard to the laws and usages of naval warfare at last year's Hague Conference sufficiently indicated, a neutral Belgium and Holland would possess for Germany in time of war.

These diplomatic excursions into print may prove to be the precursors of more systematic attempts on the part of authorized interpreters of German policy to influence opinion abroad. The existence of a German semi-official telegraph agency permits of the rapid dissemination of the written and spoken word, and whatever the subject—whether it be Macedonia or the North Sea littoral—the German public is given an early opportunity of judging for itself of the activity of its accredited representatives. During the recent debates on the Foreign Office estimates in the Reichstag the leader of the National Liberals, Herr Bassermann, urged the German Government to find ways and means of exerting greater influence upon the foreign press. Whether, in obedience to the "defiant instinct of self-preservation," but in contravention of his other principles, the Imperial Chancellor will avail himself of this suggestion remains to be seen. Another deputy, who also advocated the judicious manufacture of pro-German opinion abroad, warned Prince von Bülow that he would have to walk delicately if he desired to influence the foreign press without arousing its suspicions. An irresponsible politician like Herr Bassermann, who aspires to sit, so to speak, on the cross benches and who, upon the strength of a dilettante acquaintance with foreign politics, reviews mankind from China to Peru in a two hours' speech in the Reichstag, cannot be expected to appreciate the position of a responsible journalist. It is possible that he had heard the story about Napoleon, who, when he was asked by one of his Ministers how he had succeeded in converting a German journalist from a rabid opponent into an enthusiastic admirer, replied:

"If you ever have anything to do with people of that sort and want them to become your friends, do not put yourself to any expense, but wait for a favorable opportunity until you can speak to them yourself. Then just praise their talents, and their newspaper, and so on. If you want to do more, offer them a pinch of snuff; if they are very scrupulous, and if you want to make quite sure of them, give them the snuff-box, snuff and all into the bargain. I give you my word that you will be sure of them then."

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Whether or not Herr Bassermann had this story in mind when he made his suggestion, he has subsequently explained that what he really meant was, not that foreign journalists should be "bribed" (!), but that the "younger attachés" in the German diplomatic service ought to try and get into touch with the more important newspapers in the countries in which they are stationed. This ingenuous proposal will be received with a broad grin, especially by the "younger attachés."

The drawbacks of the system upon which German foreign policy is conducted have been even more strikingly exemplified by a recent incident in which American interests were closely concerned. During the latter part of last year the prospect of Mr. Charlemagne Tower's retirement from the post of American Ambassador in Berlin became definite. The American Minister at the Hague, Dr. D. J. Hill, was designated as his successor and was duly accepted by the German Government, and his appointment was recorded in the Gotha Almanac for 1908. Suddenly, towards the close of the Berlin season, it was stated that the German Government had expressed doubts as to the suitability of Dr. Hill for the post. These first reports were subsequently mitigated by a semi-official announcement to the effect that after the confirmation of Dr. Hill's appointment the German Government was assailed by an apprehension that after all the Ambassador-designate "might not feel comfortable" in Berlin. Another authorized version of the incident spoke of "objections" on the part of the Emperor, which, according to this account, were inspired by solicitude for the United States and by anxiety that America should be fittingly represented in Germany. The affair is obviously too delicate to be discussed in cold print; but it may be indicated that neither of these two versions is complete, and it may be added that Prince von Bülow, according to the likeliest account, knew little or nothing of what had taken place until after the event. For days after the incident extracts from the American press were busily transmitted to Berlin purporting to show that the relations between Germany and the United States had not suffered in consequence. To the dispassionate observer these utterances seemed to protest too much. The German comic press, which holds nobody, not even a diplomatist, sacred, has seized upon the incident with avidity. "Tower *versus* Power" is the punning legend borne by a picture which

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represents the outgoing Ambassador leaving his post in a sort of pantomime fairy-coach, escorted by cavalry and police, while his successor is seen painfully approaching in the background, grasping a reading-lamp in one hand and hauling a barrow-load of books with the other. The rough-and-ready moral which the picture is intended to convey will not be lost upon those whom it most concerns. But it is neither for the German Government nor the German comic press to play the part of keeper of the American conscience.

The end of Prince von Bülow's *régime* may be precipitated by a Parliamentary crisis, and even in the natural order of events it cannot be indefinitely postponed. But there are many Germans who reflect that a change in the Chancellorship will not necessarily be for the better. Secretly it is hoped, even by men of the stamp of Herr Bassermann, that in time the Reichstag will vindicate its right to control German foreign policy by means of a Government which shall be responsible to Parliament instead of merely being the instrument of a higher initiative. But this consummation is not yet in sight. In the future as in the past, however, whatever the Chancellor or any one else in Germany may affect to think, German like all other foreign policy will always have to be submitted to the judgment of the world. Even in the domestic sphere no responsible minister will wantonly embark upon a course of action which is calculated to diminish the credit of his country in the eyes of the world, by embarrassing those who wish it well, or by affording opportunities for criticism to its rivals. As the example of Germany herself has shown, no Power can afford to neglect the "political *imponderabilia*," which, in the words of Bismarck, "often exert an influence more powerful than that of mighty armies or boundless wealth, or even than the dictates of direct and material interests."

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THE EDITOR'S DIARY.

May 30th: Memorial Day.

TIME has evolved two great typical republics, one Christian, one Pagan—America and Rome, the living and the dead. History records in letters of blood the struggles of both as Nations. Temperament and custom united in fixing their respective modes of glorifying their heroic sons. How striking the contrast—how significant of the marvellous change wrought by God in the uplifting of His people during the centuries that have passed!

To the eye of the mind of one standing over the splendid plaza, now buried in ruin, to which the Roman conquerors were wont to return in triumph from their successful wars, the picture is complete, magnificent: the conqueror riding in state, the captured generals chained to his chariot wheels and dragged stumbling and bleeding over the cruel pavement; following, the victorious legions laden with spoils, banners flying, trumpets sounding, amid the wild plaudits of a ravenous multitude. One can almost hear the shrieks of joy, the barbaric shouts of delight, over trophies won by Roman arms from weaker peoples. One can imagine the scenes of revelry following the frightful contests between captured gladiators and the hundreds of wild beasts encaged in caverns through which one still shudderingly wanders, the remorseless turning of thumbs to demand the death of the athletes who were forced to give their lives to make a holiday for the turbulent populace, the orgies of drink and lust that ensued till day broke and the hundreds of thousands sank into sleep from sheer exhaustion.

Such were the tributes paid by the Pagan republic to conquerors in war—grand, impressive, inspiring in the only sense then known of men! But whose was the glory, whose the victory, whose the reward? Was ever a monument builded in the Eternal

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City to the countless thousands who fought and won the battles? No. Their compensation was a meagre portion of the spoils. Was ever a wreath of flowers placed reverently upon the grave of a common soldier in token of appreciation of the sacrifice he had made of self and loved ones? No. The pæans were for the General. The victory was his. The revelry was for him and for the heedless, heartless mob, gorgeous in seeming, but sordid and wretched and shameful in reality!

Contrast such a spectacle with the touching scenes beheld this day in America's peaceful cemeteries. There are no celebrations of a war of conquest, no rejoicing over the spoliation of defenceless men, women and children, no placing of laurel upon the brow, in the flesh or in graven stone, of an insatiable conqueror, no clanking of chains upon the ankles of the vanquished chiefs. Rather comes to our memory the beautiful episode at Appomattox, and we can almost see the gentle Grant placing back in the hands of his defeated opponent the precious sword which the knightly Lee had surrendered that no more lives should be sacrificed needlessly. But dear as is the recollection of our great generals, to-day's flowers are not for them alone; they are also for the Christian soldiers of the Christian Republic, the earnest men and youths who went forth, not in joy of opportunity, but in sadness of heart, responding to duty's demand that they offer their lives so that we as a Nation might continue united and therefore free.

If ever devotion to country was pure and undefiled, such was the patriotism of '61 no less than of '76. Never was there so great a war as ours; never one so noble. It was an army of volunteers from the North; it was an army of volunteers from the South. Neither fought for hire. Those from the North believed they were in the right, and so they were, as all now admit; but let us never forget that those from the South also thought they were in the right—and the many have paid in full the stupendous penalty of the frightful error of a few.

Some of the men from the North fought to save the Union, some to break the shackles of slavery, some doubtless were animated by prejudice and sectional spirit. But underneath all was an impulse more vital than any or all of these. It was in no true sense revolt against restrictions imposed by technical statutes. It was not opposed to the Anglo-Saxon theory that liberty must

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be "under the law." It was a new interpretation of freedom —not the partial freedom of popular government, but the complete freedom which forbids the subordination of conscience to any other impelling force, whether of law or of passion. And its embodiment in the heart of our theory of government was essential to the maintenance of American institutions. The cost could not be reckoned then, can only be estimated now; but, however colossal the cost, who would venture to doubt that the result achieved was infinitely greater, and that never since could the price paid have been so small in men or money. In the only possible manner, by force of arms, the problem was solved, the question settled for all time. No longer need a Webster cry out for "Liberty and Union, now and forever, one and inseparable." That condition we have; and no man North or South now would have it otherwise. Whatever be our future problems, our future trials, we have at least the advantage and the satisfaction of facing them resolutely as a truly united people —united not in name alone, but in heart and purpose and determination to prove the wisdom of God in setting up in this new nation, as an example for all the world, "a government of, for and by the people."

But to what end were the momentous sacrifices of the civil war if we of to-day fail to bear the ark of the covenant of human liberty safely to those of to-morrow? Let us, then, consider thoughtfully, patiently, tolerantly one another's opinions regarding conditions of to-day so pregnant with possibilities of progress or retrogression, even perhaps of success or failure. The magnitude of the task now confronting the citizens of the Republic is hardly more comprehensible to the human mind than the idea of eternity itself. When Washington took command of the American troops the entire population numbered three millions; when Lincoln called for volunteers, thirty-one millions; to-day, ninety millions and nine millions of dependents. Another half-century and more than two hundred millions of human beings will be gathered under the Stars and Stripes on this continent alone. If the next fifty years pass in peace, leaving undisturbed the rights of people to govern themselves in the communities in which they live, who can doubt that the problem of the everlasting future will have been solved, and that in very truth the millennial state of the whole human race will have begun to be realized upon the

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hemisphere which already, in a few hundred years, has given to man a fuller and freer opportunity to become worthy of the image in which he was created than had been afforded previously in sixty centuries?

Inevitably clouds gather as the power and responsibility of a Nation increase, and it is idle to deny that at this moment thoughtful men view with no little apprehension the growth of certain popular impulses which tend towards uncertainty and instability. Unrecognized socialism, disguised in pleasing garb, has become for the time a stumbling-block in the path of that marvellous progress so far achieved by that combination of individualism and bold initiative which we proudly term the American spirit. Much yet remains to be done to meet the requirements of National conditions already greatly changed and likely to vary with increasing rapidity as our numbers multiply by leaps and bounds. The Nation is welded politically, but not commercially and financially, as soon it must be more firmly if we would fitly fulfil our destiny. The problem is more difficult, more complicated, to-day than ever before. Adjustment of the delicate relationship of local government to National authority at their multifarious points of contact was comparatively easy when communities were segregated by retarded communication. Not so now! Every day makes fresh demand upon the ingenuity of the makers and interpreters of our law to keep true the balance which constitutes the basis of our republican theory. Nearly every modern invention tends to annihilate space and so to knit the masses more and more closely together, and render them more and more interdependent. How would those men who, we have been taught, were endowed with exceptional sagacity, the Fathers of the Republic, meet the situation if alive to-day? We cannot believe that they would insist upon rigid adherence to methods once sufficient but now become inadequate. They were not narrow minds. They saw far and clearly—so far and so clearly that when they created a constitution they built it upon a principle that compels the making of haste slowly when an eager people might perchance try to do in a month what, history teaches, years are required to accomplish. Can we do more wisely than abide by the dictates of that foresight of the Fathers which thus far has never failed, and, in making necessary changes, move cautiously and sagely as may be along the new and unbeaten paths?

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History is chiefly a record of battle. Must it forever be? Can it be that God means that His children shall continue to tear at each other's throats to the end of time? Is peace really unattainable? Is it not worth even striving for? And to what Nation, if not to ours, falls the opportunity by precept and example of pointing the way? The strength of a country is not measured by armies and navies. Intelligence, character, conscience constitute the true and impregnable bulwarks of national welfare. The schoolhouse at the corner is more potent ultimately than the "Dreadnought" of the seas; the little church on the hill is worth a score of regiments. Success in agriculture, commerce and manufacture presages certain triumph in war if the cause be just. During the scores of years when foreign peoples looked covetously upon our rich inheritance and realized the apparent weakness of possible resistance, none ventured to land upon these shores. Is it likely that one would do so now when we are stronger in ultimate resources than any one or two or three foreign Powers? Is it conceivable that in these days of enlightenment a ruler, much less a people, would invite the overwhelming reprisal which would surely ensue from an unwarranted attack upon or even temporary victory over any portion of territory shielded by our flag? Modern warfare, whether in trade or with guns, is the battle of gold. So long as we have money and keep our cause just, so long will we have peace. We need no mighty fleets, no great armies—only schools and churches, as of old, for the uplifting of oppressed human beings seeking the shelter of freedom. Such, the Fathers of the Republic and our fathers believed, was the true and holy mission of this new people under the protection of the Pilgrims' God! Let us not now be led astray in pursuit of idols which are steadily sapping the life-blood of every other Nation of the world. Rather let us continue steadfast in the purposes, the ideals, the faith of our ancestors, and to ourselves at least be true.

It seems incredible that nearly half a century has glided by since the untrained soldiers of the great war gave to their country not only themselves, but the peace and happiness of those whom, left in sorrow and apprehension at home, they loved better than themselves. Through the mist of years we behold the vision of that dread time. We feel the tense apprehension that preceded the bolt. We breathe the atmosphere of foreboding that dimmed

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the light of eyes and veiled with gloom the countenances which so long had shone with the happiness of personal liberty and common prosperity. From the enveloping clouds we see the lightning flash, and hear the thunder echo from Sumter to every nook and corner of the land. No need to interpret the shock! In remote communities, no less clearly than in the capitals and cities, the message was understood. It was death for the individual or death for the Nation. And how splendid the response! We see the grim determination stamped upon the faces of those who awaited impatiently the word of their great chief. We note the eagerness in their eyes, the clenching of their hands, reflecting not the lust of battle, but the love of country.

Before our retrospective vision picture after picture appears to complete the panorama. We are cognizant of the bustle of preparation; the hasty grouping of individuals into tentative organizations; we now hear the drum and bugle; excitement and confusion are welcomed to assuage grief; but the hour of parting is inevitable and comes all too soon. How many veterans recall that saddest moment in life when, with choking throats, they tried in vain to say good-by, and, turning, took a last look at the weeping wives and daughters, and the dry-eyed, bravely smiling mothers striving with all the courage of a reticent race to fill the hearts of their departing loved ones with strength and hope, and conceal the bleeding of their own. What knew these men, or what can any men know, of heroism? Deeds are but natural consequences of circumstance, environment, necessity. Suffering springs from helpless waiting. All that the great armies of men did in that awful war would weigh but as a feather in the balance against the anguish of those left behind to hope and fear and constant dread. Could the graves of all who gave their lives or happiness to their Nation be decorated this day, how many more would be those of America's noble women! But no! The wife's sacrifice is too great to find requital; the mother's love is sacred to her own. The freshest of flowers betokening our most grateful recognition would wither and die beneath the smiles of Heaven bestowed as rays of sunshine upon those tender memories.

All honor, then, to the veterans of the great war who still live; and to those who have died, peace everlasting!

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